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IN THE RABBINIC LITERATURE
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STUDIES IN SIN AND ATONEMENT

IN THE RABBINIC LITERATURE OF THE FIRST CENTURY

By A. BÜCHLER, Ph.D.
PRINCIPAL OF JEWS' COLLEGE, LONDON

WITH PREFATORY NOTE
BY THE CHIEF RABBI

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PREFATORY NOTE

BY

THE VERY REV. THE CHIEF RABBI

(DR. J. H. HERTZ)

DR. BÜCHLER'S *Studies in Sin and Atonement in the Rabbinic Literature of the First Century* is a careful and documented study of an important aspect of Judaism that has been either ignored or misrepresented by non-Jewish scholars. Some of these scholars (e. g. Julius Wellhausen) boast of their unfamiliarity with Rabbinic literature; and yet at the same time they proclaim their competence to pass judgment on Rabbinic matters. Others who do not share this naïve belief that ignorance is power, who even endeavour to emancipate themselves from anti-Jewish prejudice, are baffled by the peculiar difficulty of Talmudic study, and are led into strange misconceptions of Jewish thought. Altogether different, both in method and results, is the critical treatment of Rabbinic literature and its historic interpretation by renowned Talmudists. Among the foremost of these is the learned Principal of Jews' College. He has produced a number of brilliant works in the history and theology of first century Palestine; and by his present treatise he has once again placed all students of Judaism under a deep debt of gratitude.

Dr. Büchler's strikingly original monographs are not easy reading, and are not intended to be; he is the scholars' scholar. The secret of his originality lies in the fact that he takes nothing for granted, that he re-examines everything with his own eyes, and that he goes to the roots of any problem he investigates. He, moreover, agrees with

Humboldt that without serious attention to detail, all theories and generalizations are mere phantasms. Dr. Büchler has succeeded in transmitting this austere ideal of scholarship to a band of illustrious pupils during the thirty-five years of his teaching activity in Vienna and London.

The New Learning in Jewry (*Die Wissenschaft des Judentums*) is only a century and a half old; and, not so long ago, it was widely believed that the whole field of that learning had been fully mastered by the great minds who founded it, and by their immediate successors who built on their foundations. However, during the last generation, new horizons of Jewish knowledge have come to view, all undreamt of by the pioneers; and, furthermore, the conviction has ripened that much of the work already accomplished must be handled afresh, with greater depth and sympathy than mid-nineteenth century rationalism would permit. Through men like Solomon Schechter and Adolph Büchler, Anglo-Jewry has taken its share both in the extensive and intensive cultivation of Jewish scholarship in our time.

Studies in Sin and Atonement was written in 1927, in which year Dr. Büchler completed the sixtieth year of his life. The Council of the College decided to print this erudite production of the revered Principal as 'Jews' College Publication, No. 11'; and to record in the Prefatory Note their sincerest felicitations to Dr. Büchler, wishing him many more years of fruitful activity as scholar, as inspirer of youth, and as defender of the highest ideals of our Sacred Faith.

J. H. HERTZ,
President of Jews' College.

Tishri 5689.

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(1) The Biblical duties to hearken to the voice of God and to keep His covenant are identical, they were imposed at Sinai on Israel alone as the people redeemed by Him. The one-sided covenant is the Decalogue, in the first instance, the first and second commandments; another covenant, strengthened by an oath, was imposed upon Israel by Moses to confirm them in their obedience to God. Circumcision and other individual commandments, and all the commandments as a whole, are termed covenants (1–12). (2) Sirach calls the Pentateuch the book of the Covenant; also the Psalms of Solomon, Assumptio Mosis, and the Apocalypses of Ezra and Baruch refer to it as the covenant (12–20). (3) In the Rabbinic literature the covenant made at Sinai in Exod. 24, is understood by some teachers as the one-sided imposition of the Torah, by others as a two-sided agreement between God and Israel. God added special covenants to the Decalogue and to other commandments, Israel are called sons of His covenant; to a few important injunctions He attached an oath in the declaration, 'I am the Lord'; according to one teacher it referred to all the commandments to secure obedience to them (21–36). (4) As the Master of the Universe God imposed, among other reasonable laws, a few unintelligible duties upon Israel who have to obey also such decrees, since they are His subjects and accepted at Sinai voluntarily His yoke and His Kingship over them. By 'I am the Lord thy God', He declared His Kingship over Israel who proclaim Him as their King in the special prayers on the New Year, and prostrate themselves before Him in the Temple (36–52). (5) The obligation was undertaken at Sinai for all future generations, and the Jews as God's subjects have to recognize the Kingship of God and His yoke and to surrender unconditionally to His will embodied in the commandments (52–63). (6) Some leaders of the Jews broke from off them the yoke of God and appointed a human king over them; others, judges, did the same by respecting persons in judgment. The real and the transferred meanings of the yoke of God (63–75). (7) It makes Israel His subjects, not His slaves; to break off the yoke, the yoke of the Torah; daily acceptance upon him by the Jew of God's yoke and of the yoke of the commandments in reciting שמע (75–84). (8) The yoke of the commandments means the recognition of God as our King and the obligation to keep His injunctions. The proselyte first rejects the recognition of his gods and then accepts the Kingship of God. Grave sinners, some antinomians in Palestine, break off the yoke, break the covenant and are insolent towards the Torah; they reject the covenant imposed by God at

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scholar at the sight of a great crowd listening to his exposition on the Temple Mount, in the year 117, when permission was obtained by the Jews to rebuild the Temple. When the sin was established, and the action of God justified, the scholar's mind was at peace with God (189-203). (9) The views of Lollianos and Pappos, who were executed by Lusius Quietus in the same year, of their violent death were based on similar principles of the justice of God. R. Ḥaninah b. Theradyon who was sentenced to death by fire for being caught in the act of teaching the Torah against the prohibition of Hadrian, was wrapped in his scroll and burnt. While suffering such death he declared the decree of God, the Master of man, just and accepted it in his love of Him without murmur and without a word of abuse against the Romans, death purified him from his sins and prepared him for Paradise. The two schools discussed the question whether it would have been better for man, if he had not been created; the reason seems to have been the consideration that even the good man has to struggle against sin. The pessimistic view prevailed, and man was advised that now that man had been created, he should examine his actions (203–211).

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search of his conscience for sins, by confession and repentance. In R. Ishmael's view suffering with repentance is one of the three ways by which man attains atonement for sins, repentance is in each indispensable (327-338). (8) God's unexplained commandments were given or His visitations are sent to purge the Israelite; the importance of repentance (338-349). (9) But only sins against God are forgiven by Him; wrongs against the fellow-man must first be redressed before the pardon of God could be granted. On the Day of Atonement every Jew purges himself from sin before his Father in Heaven by self-inspection, confession, repentance and self-abasement in contrite prayer, and God cleanses him by His pardon (349-356). (10) Special warnings are given by God to man, according to R. Meir, to guard his mouth from all sin, and to cleanse and sanctify himself from all trespass and wrong; the reward is the continuous presence of God with the man who acts accordingly. Cleanness of the body and the soul from sin; the soul is implanted by God pure, and should be returned to Him pure; the white garments of man and his soul (356-366). (11) Washing from sin in the baptism of John the Baptist, the preliminary cleansing of the soul by righteousness to the fellow-man and by piety towards God, and by repentance and public confession. External means of cleansing from sin in the Rabbinic teaching, the stripes of the transgressor and their moral effect; washing off of sins and bathing of the Israelites in the Messianic times by God (366-374).

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(1) Lev. 5, 21-6, the law dealing with various forms of misappropriation, is the fullest and the clearest definition in the Pentateuch of a sin requiring sacrificial atonement; and also the Rabbinic analysis of its provisions, and their practical application in the first century reveal the religious and moral principles of Rabbinic legislation, and the concepts of sin and atonement in the authoritative schools. The biblical and Rabbinic meanings of robbery; extension of the term to non-physical violence, false witness, false oath, lending money on interest, pasturing flocks in another man's field, Jewish publicans and tax-collectors in Roman service, and withholding of the corner of the field by its owner, the last-named crime is punished by God severely (375-384). (2) The law concerning misappropriation applies to property even if only of the value of one peruṭah, and imposes upon the robber only simple restitution, and not, as for theft, double payment. The repentant sinner had originally to return the goods appropriated in kind, and even the Shammaiites still insisted on his pulling down the house in the building of which a stolen beam had been used. Already in Temple times the Hillelites carried their view and allowed equivalent payment in money, in order to facilitate the repentance of the sinner. Originally the repentant sinner had to bring the restored property to the owner wherever he happened to be; as that sometimes entailed heavy expense and prevented restitution, the authorities permitted, probably to facilitate the repentance of the sinner, whenever such expense would have transcended the value of the property, the deposit of the equivalent money and the prescribed

additional fifth in the Court of Law, and allowed the sinner to proceed to his sacrificial atonement. No punishment of stripes was inflicted for the transgression of the prohibition of robbery, whereas Philo and Josephus knew of severe penalties, death or public flogging; this perhaps refers to the Sadducean criminal Code and practice which was later abolished by the Pharisees, and the crime was treated by them as purely civil offence against property (384-393). (3) Similarly cheating in weight and measure, punished according to Josephus severely, was considered in the Rabbinic law on Deut. 25, 13-16 as a civil and moral offence, and the guilty person had to restore the difference only. As it was not always possible to establish the persons cheated and the amount concerned, the equivalent sum had to be devoted to public purposes; and the same was applied to the interest taken by a lender of money and the gain of those stamped as robbers, when they repented. In the case of misappropriation, even when the sinner supported his denial by a false oath, Lev. 5, 21, and the sins committed were against God and the fellow-man, Philo and R. Akiba explain, no punishment was inflicted, because, as Philo emphasizes, the sinner had confessed his sins of his own free will, which was a very meritorious deed. The wronged man was conciliated by the additional fifth of the value of the goods restored, and the guilt-offering of the value of two holy shekels was brought to atone for the sins against God (393-404). (4) In the Psalms of Solomon the unintentional misappropriation of the righteous man is redressed by restitution, and fasting and afflicting the soul takes the place of the atoning sacrifice. Without previous restitution and the conciliation of the wronged man which the priest had to establish at the altar, the atoning sacrifice is not accepted (404-416). (5) The repentant sinner lays his hands in the inner forecourt upon the sacrificial ram, and confesses his sins in a low voice. The importance of the attitude of the priest on duty to the bringer of the atoning sacrifice, his opportunity for religious instruction on sin against the fellow-man and against God, on confession and repentance, and on the meaning of the atoning sacrifice; the teaching of a Nazirite at the altar by Simon the Just. Various attitudes as to the punishment for sin; God demands repentance only, and receives the repentant readily (416-425). (6) Atonement by the public sin-offerings, by the daily public sacrifices, the desire of the pious for daily sacrificial atonement, private sin-offerings in practice (425-441). (7) Atonement for the forfeited soul of the individual sinner by the blood of his sacrifice accepted by God as a substitute for his life. Atonement is not automatic, but is the result of repentance, confession, restitution, confession over the sacrifice and the sprinkling of its blood; the corresponding attitudes and acts of the community in relation to the public atoning sacrifice, representatives of the nation standing during the offering up at the altar and fasting daily, members of the Synhedrion, the responsible religious guides of the nation, also fasted; fasting for forgiveness of sin. The atonement of the sinner is completed by the pardon of God; its effect upon the pardoned sinner, he is not only relieved from the burden of his sins, but turns a new man, as the past has been forgiven; he recovers his original courage, bestowed by God on every man, but lost through sin, his peace of mind is restored, and his peace with God (441-456). (8) Summing up (456-461).

INTRODUCTION

SIN and atonement occupy a central position in the system of every monotheistic religion, and may be presumed to have also formed an important part in the religious thought and experience of post-Biblical Jewry in Palestine. These two experiences of the individual soul in their various aspects and manifestations are reflected in the early Rabbinic literature, and should therefore hold a prominent place in every presentation of the religious life and the religion of the Jews in Palestine in the first century. Yet Bousset in his special work of six hundred pages, *Die Religion des Judentums im neutestamentlichen Zeitalter*, has managed to dispose of the Jewish concepts of sin and atonement in a few incidental remarks, based mainly on the Apocrypha and the Apocalypses; without considering the religious effects of sin and atonement upon the Jew and his life as reflected mainly and characteristically in Rabbinic statements of the first century. This fundamental mistake was due to the author's ignorance of the undoubtedly peculiar and difficult Rabbinic literature, and to the absence of any preparatory or systematic theological work of scientific value on the problem. The same applies to O. Holtzmann's *Neutestamentliche Zeitgeschichte* which, though more objective in its treatment of the Jewish religion in general, has no room for a discussion of sin and atonement. The special work of J. Köberle, *Sünde und Gnade*, devotes pp. 479–520 to the official Judaism of the Rabbinic period; but his sources and his preconceived ideas of Judaism are the same as Bousset's, and are only occasionally supplemented by second-hand Rabbinic references, the destructive effect of which upon his picture of the Jewish religion he tries hard to meet by a striking but ineffective form of casuistry. For the Rabbinic concepts of sin and atonement he has no thought. Though all the three works deal in connexion with sin with the blind obedience of the

Pharisees to the Torah, the religious foundations of it—God's covenant, Kingship and yoke, the religious motives of fear and love for the practice of the commandments, the attitude to suffering, the reaction of sin upon the sinner's soul, its staining and its cleansing, and the breaking off of the yoke of God and His commandments—are not included in the picture of the Jewish religion. The extent to which the relation of the Jew to his fellow-man and the social duties generally expressed themselves in obedience to the Torah or in sin, and how far they influenced Rabbinic ethical legislation and determined its standard, can be learned from the relevant statements and the decrees of the Rabbinic authorities of the first century, but has been ignored. The actual practice of sacrificial atonement for social sins as recorded in the Rabbinic literature, and the religious conception of atoning sacrifices, the preliminary essential acts of repentance, restitution, conciliation and confession preceding the sin offering, and their religious and moral values give insight into the Rabbinic concepts of sin and sacrificial atonement. But only some of the aspects of those problems of religion and ethics can be included in the present investigation.

For not a systematic presentation of the relevant religious concepts will be offered here; but, in the first instance, a collection of the pertinent early materials scattered over the Rabbinic literature, to be arranged under five heads, an interpretation and evaluation of every such Rabbinic statement, and its bearing on the general problem of sin and atonement. For many of the passages included here have so far not been analyzed as to their religious teaching, nor their dates and places of origin examined, nor their ideas coordinated for the reconstruction of religious concepts prevailing in the first century in Judaea. Of the Rabbinic statements used, many are reliably dated by the names of the authors attached to them; others are anonymously included in Tannaitic works, or quoted in the Talmuds and marked as cited from a Tannaitic source. In the last two cases their date is not later than the year 200 C. E., the date of the Tannaitic collections; but the statements are in most cases of an earlier date, often going back to the middle of the second, but frequently to the end of the first, century. Whenever a post-Tannaitic reference is adduced, the date of its author is invariably added as a sign of warning to caution the student. The object of the following analysis and reconstruction is not apologetic, but an honest endeavour to serve historical truth and to advance an unbiased appreciation of some Jewish-Palestinian concepts of sin and atonement in the first century.

I

OBEDIENCE TO THE TORAH, ITS SOURCE AND SANCTION

1. In all parts of the Hebrew Bible, especially in the Pentateuch and the Prophets, the only and eternal God is the God of Israel Who brought His people out of the bondage of Egypt, to Whom it owes allegiance, to Whose voice and will the people as a whole and every individual of it have to hearken, and Whose commandments as the detailed expression of His will every Israelite has to obey. The identity of the obligation to hearken to God's voice and of that to keep His laws is unmistakably assumed on every page of the Pentateuch and the Prophets, and a few illustrations will suffice to demonstrate it. In some cases the command of God refers to a single action to be carried out once only and immediately, as when God asked Abraham to bring his son Isaac as a burnt-offering, and he proceeded to the execution of the order readily and without hesitation, Gen. 22, 1 ff. His obedience is described by God thus, 22, 18, 'Because thou hast hearkened to My voice'. In Gen. 26, 5 God emphasizes to Isaac Abraham's merits, 'Because that Abraham hearkened to My voice, and kept My charge, My commandments, My statutes, and My laws'. In this way here, as in other cases in the Pentateuch and the Prophets, God enjoins the permanent and practical observance of moral, social and religious duties, or of prohibitions of wrong doing, as they arise or regularly recur. So in Deut. 28, 1, 'And it shall come to pass, if thou shalt hearken diligently unto the voice of the Lord thy God, to observe to do all His commandments which I command thee this day ... (15) But it shall come to pass, if thou wilt not hearken unto the voice of the Lord thy God, to observe to do all His commandments and His statutes which I command thee this day.' To hearken to God's voice is frequently, especially in the Prophets, the basic

principle of the Israelite's allegiance to the One God as against the worship of other gods, and sometimes a reference to the coming forth of Israel out of Egypt is coupled with an emphasis on the obedience to the voice of God. So in Jer. 7, 22, 'In the day that I brought them out of the land of Egypt, . . . (23) But this thing I commanded them, saying, Hearken unto My voice, and I will be your God, and ye shall be My people; and walk ye in all the way that I command you, that it may be well with you . . . (24) But they hearkened not, nor inclined their ear, but walked in their own counsels, even in the stubbornness of their evil heart, and went backward and not forward' (cf. 7, 13). Here obedience and disobedience are contrasted as are hearkening and not hearkening to God's voice, as also in the very instructive and close parallel in Psalm 81, 9, 'Hear, O My people, and I will admonish thee; O Israel, if thou wouldst hearken unto Me! (10) There shall no strange god be in thee; neither shalt thou worship any foreign god. (11) I am the Lord thy God, who brought thee up out of the land of Egypt; open thy mouth wide, and I will fill it. (12) But My people hearkened not to My voice, and Israel would none of Me. (13) So I let them go after the stubbornness of their heart, that they might walk in their own counsels. (14) Oh that My people would hearken unto Me, that Israel would walk in My ways!'[1]

The obvious questions why God imposed His commandments only upon Israel, why only the Israelites of all nations have to hearken to His voice and will, and why they alone are punished for every act of disobedience, were already present to Amos, as he said concerning the last point this, 3, 1, 'Hear this word that the Lord hath spoken against you, O children of Israel, against the whole family which I brought up out of the land of Egypt, saying, (2) You only have I known of all the families of the earth; therefore I will visit upon you all your iniquities.' The fact that God redeemed Israel from the Egyptian bondage, constitutes His claim to the obedience of His people which He had chosen to be His children and to be distinguished by His laws, and that also justifies His punishment of Israel and of every Israelite for their neglect of His commandments. And after his statement that Israel wrested judgment, worshipped God perversely with the fruits of injustice and violence and carried on an immoral cult, Amos declares, 2, 9, 'Yet destroyed I the Amorite before them, whose height was like the height of the cedars, and he was strong as the oaks; (10) also I brought you up out of the land of Egypt, and led you forty years in the wilderness, to possess the land of the Amorite'. As the commentators note, this is a recurring idea,[1] and is the reason why God gave the Decalogue just to Israel, Exod. 20, 2; Deut. 5, 6; and it is effectively used in the antithesis in Ps. 81, 9 ff., quoted before. But no prophetic passage accounts explicitly for the imposition of God's laws upon Israel by its redemption.

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[1] 'Walking in God's ways' sums up the essential positive duties, moral and social, towards the fellow-man, Gen. 18, 19; Jer. 5, 4. The tersest formulation of the contrast of obedience and disobedience to God's commandments is to be found in Is. 1, 19, 'If ye be willing and obedient, ye shall eat the good of the land; (20) but if ye refuse and rebel, ye shall be devoured with the sword; for the mouth of the Lord hath spoken.'

In Exod. 19, 3 it is stated that before the revelation on Sinai God said to Moses, 'Thus shalt thou say to the house of Jacob, and tell the children of Israel, (4) Ye have seen what I did unto the Egyptians, and how I bore you on eagles' wings, and brought you unto Myself. (5) Now therefore, if ye will hearken unto My voice indeed, and keep My covenant, then ye shall be Mine own treasure from among all peoples; for all the earth is Mine'. Here also God invites the Israelites to hearken to His voice; but as an explanation of the voice of God, instead of His commandments, His covenant is named, as if it were a synonym of God's voice. In fact, it means, in the first instance, the Decalogue, as in Deut. 4, 13, 'And He declared unto you His covenant, which He commanded you to perform, even the ten words; and He wrote them upon two tables of stone.'[1] Note that the covenant is something to be performed, that is, commandments, as the next verse shows,[2] especially the Decalogue which is first specified by God, then written on the tables, and then ordered to be practised by Israel. Again, in Deut. 5, 2 Moses says, 'The Lord our God made a covenant with us in Ḥoreb. (3) The Lord made not this covenant with our fathers, but with us, who are all of us here alive this day'. The covenant is then explained as the Ten Commandments, and their revelation by God is described as כרת את הברית, 'He made the covenant'; but strange to say, He is the only Person acting, while Israel, the other party with (את) whom the covenant is made is doing nothing. Similarly, in Exod. 34, 27 it is stated, 'And the Lord said unto Moses, Write thou these words, for after the tenour of these words I have made a covenant with thee and with Israel. (28) And he was there with the Lord forty days and forty nights; . . . and He wrote upon the tables the words of the covenant, the ten words.' No formal act is performed either by Moses or by Israel in the making of the covenant by God.[3] And here the characteristic fact is to be noted that in Deut. 4, 23, 'Take heed unto yourselves, lest ye forget the covenant of the Lord your God, which He made with you, and make you a graven image', a special part of the covenant mentioned is the second Commandment prohibiting the making of a graven image, and again כרת עם refers to the action of God alone who gave Israel the Decalogue. So also Deut. 29, 24, 'Because they forsook the covenant of the Lord, the God of their fathers, which He made with them when He brought them forth out of the land of Egypt; (25) and went and served other gods', refers by the covenant to the second Commandment.[1] The same in Deut. 31, 16, 'And this people will rise up, and go astray after the foreign gods of the land, whither they go to be among them, and will forsake Me, and break My covenant which I have made with him, 'והפר את בריתי אשר כרתי אתו'. The same terms are used in Jer. 11, 10, 'And they are gone after other gods to serve them; the house of Israel and the house of Judah have broken My covenant which I made with their fathers.' Breaking or forsaking God's covenant with Israel's ancestors means worshipping idols and ignoring the second Commandment.[2]

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[1] See especially Num. 14, 22; 1 Sam. 12, 6 ff.; Jer. 2, 4 ff.; 3, 19 ff.

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[1] Cf. Exod. 34, 28, 'And He wrote upon the tables the words of the covenant, the ten words'.

[2] Cf. Deut. 4, 14. 1.

[3] The same technical expression we find in Deut. 28, 69, 'These are the words of the covenant which the Lord commanded Moses to make with the children of Israel in the land of Moab, beside the covenant which He made with them in Ḥoreb'.

Synonyms of breaking the covenant we find in 2 Reg. 17, 15, 'And they rejected (וימאסו) His statutes, and His covenant that He made with their fathers, and His testimonies wherewith He testified against them, and they went after things of nought, and became nought'. Hos. 6, 7, 'But they like men have transgressed (עברו) the covenant; there have they dealt treacherously against Me. (8, 1) Because they have transgressed (עברו) My covenant, and trespassed against My teaching.' As in several instances quoted above, here the parallelism shows that the covenant of God means His commandments.[3] Again, in Josh. 23, 16, 'When ye transgress the covenant of the Lord your God, which He commanded you, and go and serve other gods, and worship them'. (7, 11) 'Israel hath sinned; yea, they have even transgressed My covenant which I commanded them; yea, they have even taken of the devoted thing... (15) Because he hath transgressed the covenant of the Lord, and because he hath wrought a wanton deed in Israel.' Jud. 2, 19, 'In following other gods to serve them, and to worship them; they left nothing undone of their practices,... (20) Because this nation have transgressed My covenant which I commanded their fathers, and have not hearkened unto My voice'.[1] 2 Reg. 18, 12, 'Because they hearkened not to the voice of the Lord their God, but transgressed His covenant, even all that Moses the servant of the Lord commanded, and would not hear it, nor do it'. The parallel sentences in all these passages tend to prove that the covenant of God with Israel denoted the fundamental laws in the Decalogue, in the first instance the first and second Commandments demanding the recognition of God as Israel's only God and prohibiting the acceptance and worship of other gods.[2] And as God based His claim to Israel's obedience on His liberation of Israel, so in Deut. 29, 1–7 Moses enumerates the great deeds of God for Israel from the plagues in Egypt to the conquest of the lands east of the Jordan, and concludes, (8) 'Observe therefore the words of this covenant, and do them'. Observance and doing refer in Deut. 4, 6; 5, 1. 29; 7, 12; 11, 32; Jer. 11, 3. 4 to the commandments, and, undoubtedly, the same are intended by the words of God's covenant.

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[1] So in 2 Reg. 17, 35, 'With whom the Lord had made a covenant, and charged them, saying, Ye shall not fear other gods, nor bow down to them, nor serve them, nor sacrifice to them; 38, And the covenant that I have made with you, ye shall not forget; neither shall ye fear other gods'. The word 'neither' in the translation is hardly correct, as the sentence introduced by ולא explains the covenant. In Jer. 22, 9, 'Because they forsook the covenant of the Lord their God, and worshipped other gods, and served them'.

[2] Cf. Lev. 26, 15; Deut. 17, 2. 3; Jer. 31, 31. 32.

[3] See Smend, Lehrbuch der alttestam. Theologie, 2nd edition, 1899, 297.

Of a different character appears to be the covenant in Jer. 34, 13. 'Thus saith the Lord, the God of Israel, I made a covenant with your fathers in the day that I brought them forth out of the land of Egypt, out of the house of bondage, saying, (14) At the end of seven years ye shall let go every man his brother that is a Hebrew, that hath been sold unto thee, and hath served thee six years'. To which of the several covenants in the Pentateuch did the prophet refer here? The law concerning the liberation of the Hebrew slave is stated in Exod. 21, 2–6 and Deut. 15, 12–18, and this commandment was included in the wider covenant imposed by God upon Israel at Sinai. On the other hand, in order to compel the owners of Hebrew slaves in the days of Jeremiah to let them go, 'king Ṣedekiah had made a covenant with all the people that were at Jerusalem, to proclaim liberty unto them' (34, 8). The princes and all the people entered into the covenant (10: באו בברית), and made it before God (15. 18: ותכרתו ברית לפני), and passed between the parts of a calf (18). It was a solemn undertaking to carry out that law which demanded a sacrifice neglected for centuries; and those who failed now in their obligation transgressed the covenant of God and did not perform its words. The terms employed here are the same as applied to the covenant imposed by God upon Israel. So again in 2 Reg. 23, 3, 'And the king (Josiah) stood on the platform, and made a covenant before the Lord, to walk after the Lord, and to keep His commandments, . . . and all the people stood to the covenant'. And in Ezra 10, 3, 'Now therefore let us make a covenant with our God to put away all the wives, and such as are born of them'. Special attention, however, must be given to Neḥem. 10, 30, 'They cleaved (?) to their brethren, their nobles, and entered into a curse and into an oath, to walk in God's law'. Instead of the covenant in the last three passages quoted before, a curse and an oath are pronounced into which those entered who solemnly undertook an obligation, and which, no doubt, represented a special form of covenant.[1] The same application of a curse is mentioned in the covenant of God with Israel in Deut. 29, 11, 'That thou shouldest enter into the covenant[1] of the Lord thy God and into His oath which the Lord thy God maketh with thee this day'.[2] Here the verb כרת follows after ובאלתו, though it mainly refers to the preceding covenant. It corresponds with Ezek. 17, 13, 'And he took of the seed royal, and made a covenant with him, and brought him into an oath'; and it is characteristic of the procedure that it was Moses who, in order to confirm the people against the danger of idolatry, imposed upon it the covenant with curses, that is, he made them solemnly undertake not to worship other gods and thereby sin against the second Commandment (v. 24). The curse 'is written in this book' (vv. 19. 20), and Moses employs it in connexion with the covenant in Deut. 28, 69, 'These are the words of the covenant which the Lord commanded Moses to make with the children of Israel in the land of Moab, beside the covenant which He made with them in Ḥoreb'. The difference between God's covenant in Ḥoreb and that of Moses is clear: God imposed the Decalogue as His covenant upon Israel; Moses confirmed the people in its resolutions to obey that very covenant by making them enter into another covenant and into a curse in the same way as later king Josiah in 2 Reg. 23, 3, and king Ṣedekiah in Jer. 34, 8, and solemnly undertake to keep God's commandments. The same confirmation of the people against a possible lapse into idolatry is effected by Joshua before his death after the declaration of the Israelites that they would serve God only and no other gods (24, 25), 'So Joshua made a covenant with the people that day, and set them a statute and an ordinance in Shechem'.

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[1] Note the parallelism in Psalm 78, 10, 'They kept not the covenant of God, and refused to walk in His law'; Psalm 50, 16, 'But unto the wicked God saith, What hast thou to do to declare My statutes, and that thou hast taken My covenant in thy mouth?' Cf. 1 Reg. 19, 10.

[2] Smend, 298, seems to me to be wrong in referring to the covenant in Exod. 34, 10 as denoting the laws of God; for the making of the covenant is followed by the declaration of God, 'Before all thy people I will do marvels, such as have not been wrought in all the earth, nor in any nation; and all the people among which thou art shall see the work of the Lord that I am about to do with thee, that it is tremendous'. As in many other instances, especially in Gen. 15, the covenant here is an undertaking of God to do something extraordinary for Israel. Verse 11 has its separate verb referring to God's commandments, and is not the explanation of the covenant.

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[1] Cf. Gen. 26, 28, 'Let there now be an oath betwixt us, even betwixt us and thee, and let us make a covenant with thee', and Ezek. 16, 59.

God imposed His covenant not only upon the people of Israel as a whole, but, as in the case of His covenant with

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[1] Note the verb עבר followed by the preposition ב.

[2] Also in v. 13, 'Neither with you only do I make this covenant and this oath. (18) When he heareth the words of this curse'. A real oath is mentioned next to a covenant in Ezek. 16, 8, but in connexion with the bond of marriage, cf. Prov. 2, 17; Mal. 2, 10; cf. also Psalm 105, 9.

Abraham, also on one individual who, in his turn, had to transmit it as an obligation to all his descendants. For Gen. 17, 9 states, 'And God said unto Abraham, And as for thee, thou shalt keep My covenant, thou, and thy seed after thee throughout their generations. (10) This is My covenant, which ye shall keep, between Me and you and thy seed after thee: every male among you shall be circumcised. (13) And my covenant shall be in your flesh for an everlasting covenant. (14) And the uncircumcised male who is not circumcised in the flesh of his foreskin, that soul shall be cut off from his people; he hath broken My covenant.' The single injunction to be observed at first by Abraham only is termed ברית; and yet it is described as a covenant between God on the one hand and Abraham and his seed on the other, as if it were an agreement between the two parties, whereas, in fact, it is nothing of the kind, but a one-sided imposition by God upon Abraham. It, evidently, is intended to form a strong tie between Abraham and God, and is to bind him and his descendants to their God; so that any member of his family that does not observe the covenant has broken the tie and severed his recognition of God, and incurs thereby severe punishment. In v. 11, 'And ye shall be circumcised in the flesh of your foreskin; and it shall be a token of a covenant betwixt Me and you', the circumcision is not designated as the covenant, but as a sign of it, as if it were something distinct from the covenant itself. As the covenant constitutes an obligation, the act of the circumcision or the permanent circumcised state may be meant to be the constant reminder of God's covenant.[1]

The breaking of the covenant is expressed in Gen. 17, 14 thus, 'And the uncircumcised male who is not circumcised in the flesh of his foreskin, that soul shall be cut off from his people; he hath broken My covenant, 'את בריתי הפר'. The same is applied to idolatry in Deut. 31, 16. 20, 'And this people will rise up, and go astray after the foreign gods of the land, . . . and will forsake Me, and break My covenant which I have made with them, 'והפר את בריתי אשר כרתי אתו'; in Jer. 11, 10, 'And they are gone after other gods to serve them; the house of Israel and the house of Judah have broken My covenant which I made with their fathers; (31, 32) Not according to the covenant that I made with their fathers in the day that I took them by the hand to bring them out of the land of Egypt; forasmuch as they broke My covenant, although I was Lord over them, saith the Lord.'[1] All the three passages take it for granted that the covenant made by God with Israel at Sinai continued to be binding throughout the centuries, though not renewed; and the same is stated explicitly in Gen. 17, 9. 12, when God imposed circumcision upon Abraham and his descendants throughout their generations expressly as an everlasting covenant (13), and so also the Sabbath in Exod. 31, 16, 'to observe the Sabbath throughout their generations, for a perpetual covenant'. Consequently, when some Judaeans in the Babylonian exile declared to the prophet (Ezek. 20, 32) that they wished to turn idolaters, they were stamped rebels and sinners against God and were told that, when He asserted His Kingship over them, they would be forced back by His punishments, 'And I will cause you to pass under the rod, and I will bring you into the bond of the covenant, 'והבאתי אתכם במסרת הברית'' (37). With that is to be compared Num. 15, 30, 'But the soul that doeth aught with a high hand, whether he be home-born or a stranger, the same blasphemeth the Lord; and that soul shall be cut off from among his people. (31) Because he hath despised the word of the Lord, and hath broken His commandment, ואת מצותו הפר; that soul shall utterly be cut off, his iniquity shall be upon him.' הפר means: break asunder, and refers to a band or tie, and its usual direct object is the covenant; but as ברית sometimes denotes one essential commandment, it could here be replaced by מצוה as its synonym.[1] The deliberate, provocative transgression of one of God's laws is an open defiance of His authority and of God Himself, the Giver of the law; the contempt involved is the breaking of a covenant imposed by God, the sovereign King of Israel.[2] Such attitude towards God has its parallel in the rebellion of the subject against his king in Ezek. 17, 13, 'And he (the king of Babylon) took of the seed royal (of Judah), and made a covenant with him, and brought him into an oath, and the mighty of the land he took away; (14) that his might be a lowly kingdom, that it might not lift itself up, but that by keeping his covenant it might stand'. The covenant was imposed by Nebuchadnezzar upon Ṣedekiah to be strictly observed, just as God imposed His covenant upon Abraham and upon Israel, the only difference being that the king brought Ṣedekiah, in addition, into an oath, אָלָה. When later on Ṣedekiah conspired with Egypt, his faithlessness is described thus, (15) 'But he rebelled against him in sending his ambassadors into Egypt, that they might give him horses and much people. Shall he prosper? shall he escape that doeth such things? shall he break the covenant, and yet escape? (16) As I live, saith the Lord God, surely in the place where the king dwelleth that made him king, whose oath he despised and whose covenant he broke... (18) Seeing he hath despised the oath by breaking the covenant... (19) As I live, surely Mine oath that he hath despised, and My covenant that he hath broken, I will even bring it upon his own head.' The verbs used here occur again in Num. 15, 31: כי דבר ה׳ בזה ואת מצותו הפר, and the oath or curse added to the covenant is also found elsewhere.[1] Also in Ezek. 16, 59 God says to Judah, 'For thus saith the Lord God, I will even deal with thee as thou hast done, who hast despised the oath in breaking the covenant. (60) Nevertheless I will remember My covenant with thee in the days of thy youth, and I will establish unto thee an everlasting covenant.' Here the first covenant is the one imposed by God upon Israel after its coming out from Egypt, and is represented as having consisted of a covenant and an oath; Israel broke both by worshipping idols. The oath or curse was, evidently, the same as in Jer. 11, 3 and Ezek. 17, 13, and the procedure seems to have been borrowed from the form of a political covenant imposed by a king upon his subject.[2]

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[1] The same is stated in connexion with the Sabbath in Exod. 31, 16, 'Wherefore the children of Israel shall keep the Sabbath, to observe the Sabbath throughout their generations, for a perpetual covenant. (17) It is a sign between Me and the children of Israel for ever.' The Sabbath is first a covenant, then a sign; but the sign, like the covenant itself, is connected with ביני ובין and followed by לעולם, so that they seem identical in meaning and force.

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[1] See Ezek. 16, 59; 44, 7.

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[1] Cf. the parallelism in Deut. 33, 9; Psalm 25, 10; 103, 18; 132, 12.

[2] See Josh. 7, 11; 1 Reg. 19, 10; Psalm 44, 18, to forsake God or His laws; see further.

2. In the same sense as in the Bible the covenant of God with Israel was used by post-biblical writers either as a continuation or an imitation of the relevant biblical ideas. So in Sirach 17, 11, 'He added unto them knowledge, and gave them a law of life for a heritage. (12) He made an everlasting covenant with them, and shewed them His judgments.' The first term in the list of synonyms is the law of life, תורת חיים, and the third are God's judgments, ויורֵם את משפטיו, and between the two stands the everlasting covenant as a synonym of both. These three terms for the commandments of the Pentateuch have a parallel in Is. 24, 5, 'Because they have transgressed the laws, violated the statute, broken the everlasting covenant,[3] עברו תורות חלפו חק הפרו ברית עולם'; all of them came from God, as the covenant in Exod. 19, 5; Deut. 5, 3, but they regard the commandments from different points of view. Again in Sirach 24, 23, 'All these things are the book of the covenant of the Most High God, (even) the law which Moses commanded us for a heritage unto the assemblies of Jacob'. The ספר ברית ה' denotes the whole Penta-

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[1] See above p. 7 ff., and Jer. 11, 3. 8; 1 Macc. 7, 18. 15.

[2] But see Gen. 26, 28. Instead of 'breaking the covenant' we find 'forsaking' it, Deut. 29, 24; 1 Reg. 19, 10. 14; Jer. 22, 9, but the meaning is the same.

[3] See Dillmann's note in his commentary on Isaiah, 24, 5.

teuch and is explained as the Torah in the words of Deut. 33, 4. In 28, 7, 'Remember the commandments, and be not wroth with thy neighbour; and (remember) the covenant of the Highest, and wink at ignorance', God's covenant stands in parallel with the commandments.[1] Again, in 42, 2, 'Be not ashamed . . . of the law of the Most High and His covenant; (41, 17) be ashamed . . . (19) in regard of the truth of God[2] and His covenant', though the context is obscure, the identity of God's covenant and His Torah is beyond doubt. In 45, 5, 'And gave him (Moses) commandments face to face, even the law of life and knowledge, that he might teach Jacob the covenant, and Israel His judgments', the meaning of the covenant as the Torah containing God's laws is certain. More difficult is it in 45, 17, 'He gave unto him (Aaron) in His commandments, (yea), authority in the covenants of judgments, to teach Jacob the testimonies, and to enlighten Israel in His law'.[1] As this is based on Deut. 33, 10, 'They shall teach Jacob Thine ordinances, and Israel Thy law', and Lev. 10, 11, 'And that ye may teach the children of Israel all the statutes which the Lord hath spoken unto them by the hand of Moses', where the priests are charged to teach משפטיך and החקים, it seems probable that the original text of Sirach had במשפטי בריתו, the judgments of His covenant, the Torah.[2] In 39, 8, 'He shall shew forth the instruction which he hath been taught, and shall glory in the law of the covenant of the Lord', the Hebrew seems to have been בתורת ברית ה׳, and ברית which, as is evident from the passages considered, by itself denotes in Sirach the Torah, is added to it, evidently to define it more closely; though unusual, there is no difficulty in putting the two synonyms into the relation of the construct state.

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[1] Smend, Die Weisheit des Jesus Sirach, 134, points out that the Greek version has in nine passages *διαθήκη* where the Hebrew text has חק. But if the original Hebrew text had really had חק, the Greek translator would not have persistently rendered it by 'covenant'. On the other hand, the Syriac קימא suggests that the source of the Hebrew חק was a Syriac version.

[2] Smend's suggestion that the original wording was מְשַׁנּוֹת אָלָה וברית, and that the Greek translator mistook אלה for אֱלֹהַּ and, owing to his mistake, misread שנות as אמת, is, in my opinion, more than improbable; so also Israel Lévi, L'Ecclésiastique, 42, who notes that משנות, conjectured by Smend, is contrary to the spirit of the Hebrew language. As Smend himself points out, שָׁנָּה is used in Prov. 31, 5: וישנה דין כל בני עני, 'and pervert the justice due to any that is afflicted'; but in that sense אלה would certainly not be a suitable object. The synonym 'changeth' in Psalm 15, 4: נשבע להרע ולא ימיר, 'He that sweareth to his own hurt, and changeth not', does not refer to the oath, but to the statement affirmed by it. In Psalm 89, 35: לא אחלל בריתי ומוצא שפתי לא אשנה, 'My covenant will I not profane, nor alter that which is gone out of My lips', Smend finds a close parallel. But covenant does not mean an oath, but God's solemn promise given to David that his dynasty will continue for ever; nor is in the second half of the verse an oath intended, but God's reassuring utterance. Only to such does שנה apply suitably, but not to an oath or covenant. Cf. משני בדיבוריה in Synh. 97a, and המחליף בדבורו in Synh. 92a. It seems more probable that *ἀπὸ ἀληθείας* is the correct translation of מאמת in the original text, and that it suggested to the Syriac translator מומתא, oaths, and that this was the source of the Hebrew אלה. Did Sirach perhaps have משבועת אמת וגזרה? See further.

Similarly in 1 Macc. 2, 20, Mattathias said to the Syrian officer who had invited him to sacrifice on the heathen altar set up in Modin, 'I and my sons and my brethren will walk in the covenant of our fathers'. He means God's covenant with the fathers, which is, indeed, described in the same way in Lev. 26, 45, 'But I will for their sakes remember the covenant of their ancestors . . .; (42) then will I remember My covenant (with) Jacob, and also My covenant (with)

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[1] The coupling of covenants with judgments is not found in the Hebrew Bible and, apart from the plural of covenants, is unnatural. Smend regards חק in the Hebrew text as authentic, and covenant as the consistent rendering of the Greek translator. It is true, we find חקת משפט in Num. 27, 11; 35, 29, but that means something quite different. In Sirach 38, 33 the author says of artisans, 'and they shall not understand the covenant of judgment', and the Syriac has, 'covenants and judgments', which would correspond with חק ומשפט in Exod. 15, 25, or with חקים ומשפטים in Deut. 4, 45; 5, 28; 6, 1; but these are not the same as Sirach's covenants of judgments.

[2] It is difficult to suggest the corresponding Hebrew word for 'authority' which in Rabbinic times was רשות.

Isaac, and also My covenant (with) Abraham will I remember.' But walking in the covenant presupposes that it directs the steps of the Jew by practical rules, as in Ezek. 18, 17, 'he hath walked in My statutes'; (33, 15) 'if he walk in the statutes of life';[1] 2 Chr. 17, 4, 'he walked in His commandments, and not after the doings of Israel'; Jer. 32, 23, 'but they hearkened not to Thy voice, neither walked in Thy teaching, ובתורתך; (44, 10) nor have they walked in My teaching, nor in My statutes, that I set before you and before your fathers'. Evidently, the covenant of the fathers is the Torah; and as Mattathias referred to it in answer to the invitation to worship idols, he meant in the first instance the prohibition in the second Commandment. This interpretation is borne out by 1 Macc. 1, 15, 'And they made themselves uncircumcised, and forsook the holy covenant, and joined themselves to the heathen, and were sold to do mischief'. Dr. Rawlinson rightly remarks, 'The holy covenant is not so much the covenant of circumcision made with Abraham, Gen. 17, 10, as that far broader covenant made between God and His people at Sinai, Exod. 24, 3–8. The expression (holy) seems to be adopted from Dan. 11, 28. 30, where it is used three times in connection with the wicked doings of Epiphanes'.[2] עוזבי ברית קדש in Dan. 11, 30 are not those who removed the circumcision, but such as, in addition, abandoned the observance of the laws in the Torah, and included 'everyone that forsook the law', 1 Macc. 1, 52.[3] Also the covenant in 1, 57, 'And wheresoever was found with any the book of the covenant, or if any consented to the law, the king's commandment put him to death. (63) Wherefore they chose rather to die, that they might not be defiled with meats, and that they might not profane the holy covenant: so then they died', ספר הברית is the Torah, and ברית are the laws contained in it. In 2, 27, 'And Mattathias cried throughout the city with a loud voice, saying, Whosoever is zealous of the law, and maintaineth the covenant, let him follow me', the parallelism of the law and the covenant, as we found it in the Bible, is that of two synonyms. So also in 2, 50, when Mattathias on his death-bed said to his sons, 'Now, therefore, my sons, be ye zealous for the law, and give your lives for the covenant of your fathers', the parallelism clearly shows that the covenant of our fathers, as in 2, 20, is the Torah.

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[1] So also Lev. 18, 4; 1 Reg. 2, 3; 3, 3; 6, 12; 8, 61; 2 Reg. 10, 31; Jer. 26, 4; Ezek. 5, 6. 7; 20, 13. 16. 21; 11, 12; Psalm 119, 1; 78, 10; Dan. 9, 10; Neh. 10, 30.

[2] In Wace's Apocrypha, II, 387. The description of the covenant as holy is very instructive, as it shows that in the year 167 the Torah was regarded as holy, as also in the days of the author of 1 Maccabees.

[3] Cf. 1 Reg. 18, 18; 2 Reg. 17, 16; 2 Chron. 7, 19; 24, 18.

In the Palestinian Psalms of Solomon only 10, 5, 'The testimony is in the law of the everlasting covenant', shows that in the circle of the Pharisees in Jerusalem about 67 B.C.E., the covenant denoted the Torah.[1] In Assumptio

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[1] See Ryle-James, Psalms of the Pharisees, 98. The meaning of the covenant in the Book of Jubilees is peculiar. While in 16, 14; 20, 3; 15, 29. 34 it refers to the covenant of the circumcision on Gen. 17, 9-14, in 1, 10 God says, 'Because they have forsaken My ordinances and My commandments, and the festivals of My covenant, and My Sabbaths'. The strange parallelism describes only the festivals as of God's covenant; and as those are nowhere in the Bible termed in that way, the object of the author seems to have been to emphasize the sanctity of the festivals, and it would appear that the covenant denoted the Torah. In 1, 5, 'I have not forsaken them for all the evil which they have wrought in transgressing the covenant which I establish between Me and thee for their generations this day on Mount Sinai'. As God made the covenant with Moses, the reference is to Exod. 34, 27 and not to Exod. 19, 5, and the covenant is the Torah. Different is 23. 16, 'And concerning their forsaking the covenant which the Lord made between them and Him, that they should observe and do all His commandments and His ordinances and all His laws'. Here the covenant is not identical with the Torah or its laws, but is the agreement between God and Israel, and the undertaking of Israel in Exod. 24 to observe the Torah imposed upon them by God. Different again is 6, 11, 'On this account He spake to thee (Moses) that thou shouldst make a covenant with the children of Israel in this month upon the mountain with an oath, and that thou shouldst sprinkle blood upon them because of all the words of the covenant, which the Lord made with them for ever. (17) For this reason it is ordained and written on the heavenly tables, that they should celebrate the feast of weeks in this month once a year, to renew the covenant every year.' Here two different covenants are referred to, one which God made with them in Exod. 19, 5; Deut. 5, 2. 3 in giving Israel the Decalogue; the other

Mosis 1, 9, 'That it (Canaan) should be given to them according to the covenant and the oath, which He spake in the Tabernacle to give (it) by Joshua', refers to Deut. 31, 7, where, however, God did not confirm His promise by a covenant and oath, but only referred to His oath to the patriarchs that He will give the land to their descendants. So also in Moses' prayer in 3, 9, 'Remember Thy covenant which Thou didst make with them, and the oath which Thou didst swear unto them by Thyself, that their seed should never fail in the land which Thou hast given them'. Apart from the fact that no such promise in the same words is to be found in the Pentateuch, and the nearest parallel is Exod. 32, 13, where only God's oath to the patriarchs is quoted by Moses, again the addition of the covenant is to be noted. So again in 11, 17, 'Calling to mind the covenant of the fathers and propitiating the Lord with the oath', which also refers to Exod. 32, 13 and specially stresses the covenant which Moses did not mention. And 12, 13, 'For God will go forth who has foreseen all things for ever, and His covenant has been established and the oath', has no biblical basis, as far as the incomplete statement allows to suggest, and again combines the covenant with the oath. But in 4, 2 Daniel prays, 'And didst will that this people should be Thine elect people, then Thou didst will that Thou shouldst be called their God, according to the covenant which Thou didst make with their fathers', and refers to Exod. 19, 5; 6, 7; Lev. 26, 12; Deut. 29, 12, especially to the first passage where alone God's covenant is mentioned; no oath is added here to the covenant, as also in 4, 5, 'Then God will remember them on account of the covenant which He made with their fathers', based on Lev. 26, 42. It appears that the author took over the covenant mentioned in the biblical passages which include no oath, but supple-

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which Moses made with them in Exod. 24, to make them solemnly undertake to observe the laws of God, a covenant with an oath which is mentioned in neither place, but, as discussed above (p. 7 ff.), is stated in Deut. 29, 11. 13. 20.

mented on his own God's oath in his biblical source by His covenant. While the passages quoted contain the promises of God and His assurances to the patriarchs, in 1, 14 His covenant is of a different character. For Moses says there, 'Accordingly He designed and devised me, and He prepared me before the foundation of the world, that I should be the mediator of His covenant', and refers by the last word to the Decalogue, as in Deut. 5, 2–5; Exod. 34, 27 ff., or to all the commandments in the Pentateuch,[1] as in Deut. 5, 28. In 2, 7, 'But (four) will transgress the covenant of the Lord, and profane the oath which the Lord made with them. (8) And they will sacrifice their sons to strange gods, and they will set up idols in the Sanctuary, to worship them', appear again the covenant and the oath [2] side by side. The unusual expression 'made an oath with them' clearly points to Deut. 29, 11, 'That Thou shouldst enter into the covenant of the Lord thy God and into His oath which the Lord thy God maketh with thee this day', and the covenant refers either to the second Commandment prohibiting all forms of idolatry, as in Deut. 4, 13. 23; 31, 16. 20, or to the whole Torah.

Over a century later, in the first quarter of the second century, the author of the Apoc. of Ezra complains (4, 23), 'And the holy Law of our fathers is set at nought, and the written covenants are no more.[3] (7, 24) And His Law they despised, and His covenants they denied, and believed not His commandments, and spurned His works. (7, 46) Who is there of those who have come (into the world) that hath not sinned, or who is there of those born that hath not transgressed Thy covenant?'[4] As the commentators have pointed out, the covenant is the Torah and its commandments, and the transgression of it refers, in the first instance, to the prohibitions in the Pentateuch. So also in 8, 26, 'O look not on the sins of Thy people, but on them that have served Thee in truth; (27) regard not the deeds of the godless, but (rather) them that have kept Thy covenants in tortures.' If the plural in 'covenants' is correct, the word signifies the individual commandments. In 5, 29, 'And those who denied Thy promises have been allowed to tread under foot those that have believed Thy covenants'; and in 3, 32, 'Or what tribes have so believed Thy covenants as those of Jacob?' the parallelism with 'promise' and the verb 'believed' seem to suggest that the covenants denote not laws, but, exceptionally in this Apocalypse, God's promised rewards for the observance of the commandments, as the oaths sworn to the patriarchs in the Pentateuch and the covenants and oaths in the Assumptio Mosis and, as will be shown later on, in the Rabbinic literature. In the Apoc. of Baruch, a book of about the same date, in 41, 3, the very instructive context illustrates the meaning of the covenant. 'For lo! I see many of Thy people who have withdrawn from Thy covenant, and cast from them the yoke of Thy law. (4) But others again I have seen who have forsaken their vanity, and fled for refuge beneath Thy wings.' The covenant of God, imposed by Him at Sinai upon Israel and accepted by them, is the Decalogue and the Torah, and marks the close relations of the Jews with God and their attachment to Him. Those who withdraw from the covenant reject its binding force on them completely and on principle: they no longer recognize God as their Lord and ignore His commandments; as in the Bible he who breaks His covenant, so they break off from them the yoke of His Torah which they bore in obedience to Him before their rebellious act. The reverse was done by some God-fearing Gentiles who cast away their vanities, their idols,[1] and came under the wings of God, Ruth 2, 12, as proselytes.[2] A different interpretation is suggested by the parallel in 42, 3, 'And as for what thou didst say regarding those who have drawn near and those who have withdrawn, this is the word. (4) As for those who were before subject, and afterwards withdrew and mingled themselves with the seed of mingled peoples. (5) And as for those who before knew not, but afterwards knew life and mingled with the seed of the people which had separated itself.' Though the covenant is not mentioned here, it is clear from the explicit statement in 41, 3, quoted above, that those men withdrew from the covenant, while the others drew near to the same covenant.[1] Just as the Jews by accepting God's covenant became subject to the commandments, so did the Gentiles who adopted Judaism and turned proselytes. To this may be added 19, 1, 'Wherefore at that time he (Moses) appointed for them a covenant, and said, Behold, I have placed before you life and death; and he called heaven and earth to witness against them'. This refers to Deut. 30, 15. 19, where it continues, (16) 'In that I command thee this day to love the Lord thy God, to walk in His ways, and to keep His commandments and His statutes and His ordinances'; the covenant is not mentioned there, but the verse only specifies the fundamental duties contained in the one word covenant.

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[1] Cf. Galat. 3, 18. 19, where the mediator alluded to, through whom came the law, is Moses; see Charles, The Assumption of Moses, on 1, 14, p. 6, note.

[2] About the wording see Charles, p. 62.

[3] See Box, The Ezra-Apocalypse, 29.

[4] About the text see Box, 132, note r.

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[1] Jer. 2, 5; 10, 3. 8. 15; 14, 22.

[2] Sifré Num. 10, 31, 80, 21 a; Sifré Deut. 6, 5, 32, 73 a; Tos. Horay.

2, 7; Shabb. 31 a bottom; Baraitha Synh. 96 b; Yer. II, 20 c, 30; ARN, XII, 27 a. 27 b; Lev. r. 2, 9.

[1] The characteristic words in the two verses can only be translated with difficulty into Rabbinic Hebrew. קרב is the technical term for the Gentile's joining Judaism, as רחק and חזר לסורו express his withdrawal and רִחק the refusal to admit him; see R. Eliezer in Mekhil. Exod. 18, 6, 58 a ff.; 22, 20, 95 a; Midr. Tannaim Deut. 20, 1, 118; Kohel. r. 1, 8, 4. The Hebrew for 'subject to', might have been משועבד (see below, p. 75 ff.). With whom did the relapsing proselytes mingle? Charles points to Psalms of Solomon 17, 17: *ἐθνῶν συμμίκτων* (see my note in Types of Jewish piety, 184 ff.), which would correspond with זרע עמי הערב; but who were they? Verse 5 also refers to proselytes who adopted the way of life, the Torah. The separated are not, as Kabisch, Charles and Kautzsch assume, the Pharisees as the separated pious Jews, as the author would hardly have used the word 'mingled' of the inter-marriage with Pharisees. Possibly *οἱ σεβόμενοι τὸν Θεόν*, יראי שמים are meant who were not yet full proselytes and inter-married preferably with relapsing proselytes.

3. In the Rabbinic literature the ideas of God's covenant and His oath in connexion with the revelation of the Decalogue and the other commandments show characteristics and contents different from those discussed so far. In Exod. 24, 3 ff. it is reported how Moses informed the people of all the words of the Lord and all the judgments which had been revealed to him on Mount Sinai, how the people declared its readiness to practise them and Moses wrote them down, and how on the following day he built an altar and twelve pillars, and how he sprinkled upon the altar one half of the blood of the burnt- and the peace-offerings offered up and, after a second declaration of Israel's acceptance, the other half upon the people, (8) 'and said, Behold the blood of the covenant. which the Lord hath made with you, in agreement with all these words'. In spite of the sprinkling of one half of the blood upon the altar representing God, it seems to be a one-sided covenant made to bind by it the people, after its voluntary declarations, to permanent obedience to the commandments. The difficulties of these sacrificial acts and of the meaning of the covenant were commented upon by teachers who taught in Judaea between the years 90 and 135.[1] R. Akiba held that the whole of the burnt-offering (including its blood) was on that occasion placed upon the altar; and a statement at present anonymous, but in reality containing an argument in support of R. Akiba's view and very probably his, explains that the blood sprinkled על העם means: in the name of the people, and all was sprinkled upon the altar; R. Eliezer, however, accepts the plain sense of those words. In another vivid description of the proceedings[2] an unnamed teacher,—as the conclusion suggests, R. Yehudah,—says that when the people had declared its readiness to accept the commandments, Moses sprinkled of

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[1] See the fragment of the Mekhil. on Deut. 11, 26 edited by Schechter in J.Q R. 16, 1904, 446 ff. and Hoffmann, מדרש תנאים, 57. In the parallel in Sifré Num. 28, 6, 143, 53 b, Friedmann, R. Ishmael, R. Akiba and R. Yosé the Galilean differ on the point raised by R. Akiba; see Hoffmann.

[2] Mekhil. Exod. 19, 10, 63 b, Friedmann: הרי אתם קשורים ענובים תפוסים.

the blood of the burnt-offering upon it, and said to them, Now you are tied, bound and held fast: to-morrow come and accept upon you all the commandments. The book of the covenant which Moses read to the people, Exod. 24, 7, included in the opinion of R. Ishmael[1] the blessings and curses in Lev. 26, as that chapter concludes, (46) 'These are the statutes and ordinances and laws, which the Lord made between Him and the children of Israel in Mount Sinai by the hand of Moses'. In his view every covenant must be accompanied by the recital of the curses that would overtake the party who did not observe the stipulations of the covenant, as in Deut. 29, 11. 13. 18; Ezek. 17, 13. But even R. Ishmael admits that the covenant in Exod. 24 was one-sided as binding Israel only. On the other hand, an unnamed teacher[2] says, 'God said to Moses, Sprinkle of the blood upon the people that they shall not exchange My glory for the foreign gods of the land; and sprinkle half of the blood upon the altar that I shall not exchange them for another nation'.[3] Here the covenant between God and Israel is a two-sided agreement which that teacher found formulated in Exod. 19, 5; Deut. 26, 17-19; 28, 13 and Lev. 20, 26.

R. Simeon b. Yoḥai, a teacher of the middle of the second century, says[4] that God made three covenants with Israel about the commandments, at Ḥoreb, in the plains of Moab and on the mounts Gerizim and 'Ebal. His object, no doubt, was to emphasize the sanctity of the laws and the greatness of the obligation resting on every Jew; but he proceeded from the fact that, in revealing the Torah to Israel, God had added His covenant which made Israel's undertaking to obey the laws even more solemn. As we have seen, it was R. Ishmael's view that at the covenant in Exod. 24 the blessings and curses in Lev. 26 were read out to the people by Moses. And it was R. Ishmael who even before the year 135 emphasized the importance of the commandment

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[1] Mekhil. Exod. 19, 10, 63 b; Midr. Tannaim Deut. 56, § 3; see Tos. Sotah 8, 11; b. 37 b.

[2] Midr. Tannaim Deut. 11, 26, 57, § 6: אמר המקום למשה זרוק על העם שלא ימירו כבודי באלהי נכר הארץ . . . וזרוק חצי הדם על המזבח שאיני ממירן באומה אחרת . . .

[3] In the legend of the woman and her seven sons who died as martyrs, in Gittin 57 b, one of them says to the emperor: כתוב בתורה את ה' האמרת וגו' וה' האמירך היום, כבר נשבענו להקב"ה שאין אנו מעבירין אותו באל אחר ואף הוא נשבע לנו שאין מעביר אותנו באומה אחרת.

[4] Mekhil. Exod. 23, 19, 102 a bottom: לא תבשל גדי בחלב אמו, רבי שמעון אומר מפני מה נאמר בג' מקומות, כנגד שלש בריתות שכרת הקב"ה עם ישראל אחת בחורב ואחת בערבות מואב ואחת בהר גריזים והר עיבל. Yalkut reads here R. Ishmael; in Sifré Deut. 14, 21, 104 end anonymous. As Tos. Sotah 8, 11; Yer. VII, 21 c, 65; b. 37 b states: רבי שמעון מוציא

של הר גריזים והר עיבל ומביא של אהל מועד, 'R. Simeon removes from the list the covenant on the mounts of Gerizim and 'Ebal and substitutes that in the tent of meeting'. Bacher, Tannaiten, II, 92, 3 supports the authorship of R. Ishmael. There is an interesting statement in Midr. Tannaim Deut. 11, 26, 57 that the presence of the blessings and curses at the covenants in the land of Moab in Deut. 28, 69 and at Ḥoreb supports the inference that the presence of blessings and curses in Deut. 27 on the mounts of Gerizim and 'Ebal points to a covenant. In Tos. Sotah 8, 11; b. 37 b; Yer. VII, 21 c, 66, after the sentence quoted above, the Baraitha states: There is no commandment about which there were not made forty-eight covenants (in Yer. and Midr. Tann. 57 it is by R. Simeon). R. Simeon b. Yehudah of Kefar-'Akhus in the name of R. Simeon said, There is no commandment in the Torah about which there were not made covenants according to the number of the Israelites who came out from Egypt. In the Baraitha in b. Sotah 37 b R. Simeon b. Yehudah in the name of R. Simeon says, There is no commandment written in the Torah about which there were not made forty-eight covenants for each of the number of Israelites. In Yer. R. Simeon says, 576 covenants about each commandment. The Haggadists accepted the first view of three covenants in Tanḥ. נצבים 3, but dated them differently, 'God made three covenants with Israel on their coming forth from Egypt, one when they stood before Mount Sinai, the second at Ḥoreb, and the third in Deut. 29, 11. Why did God make with them the last covenant? Because they had annulled the covenant made with them at Sinai by saying (to the golden calf), These are thy gods, Israel! On account of that He made another covenant with them at Ḥoreb and stipulated a curse in connexion with it to come upon him who goes back on his words.' So also in Yelamdénu נצבים 9, in Grünhut, ספר הלקוטים V, 158 b from Yalkut Makhiri Is. 52, 4; incorrectly in Tanḥ. נצבים B. 6. Of the covenant at Sinai R. Yehudah I says in Mekhil. Exod. 20, 2, 66 b, God revealed Himself to Israel to make a covenant with them not only concerning open sins, but also about hidden sins; but Israel replied to Him, We are prepared to make a covenant with Thee concerning open sins, but not about hidden sins.

relating to the circumcision by pointing to the number of covenants made concerning it,[1] 'Great is the circumcision, as thirteen covenants were made (by God) concerning it'. Both scholars regard the covenants as one-sided, as imposed by God to secure with greater probability the obedience of the people to the commandments. In a prayer of R. Ṣadok, who lived throughout the greater part of his life in Jerusalem before the year 70 and was older than R. Yoḥanan b. Zakkai,[2] his reference to the covenant sheds light on its idea. The report states,[3] R. Eleazar b. R. Ṣadok said, My father used to recite on Friday evening this short prayer, 'On account of Thy love, O Lord our God, with which Thou hast loved

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[1] Nedar. 3, 11 ; Mekhil. Exod. 18, 3, 58 a : רבי ישמעאל אומר גדולה מילה שנכרתו עליה שלש עשרה בריתות. It is based on the fact that the word 'covenant' is mentioned thirteen times in Gen. 17 ; but as some of them are mentioned before the circumcision is even referred to and have no connexion with it, R. Ishmael's basis is not clear. The statement was accepted in Baraitha Berakh. 48 b ff. : פלימו אומר צריך שיקדים ברית לתורה שזו ניתנה בשלש בריתות וזו ניתנה בי״ג בריתות, Pelimō says that in the prayer after meals the reference to the circumcision should precede that to the Torah, as the circumcision was given (to Abraham) with thirteen covenants, while the Torah was given (to Israel) with three covenants. In the second half of the third century, addressing in a mourner's house those who had come to comfort him, R. Yehudah b. Naḥmani said in Kethub. 8 b : אחינו גומלי חסדים בני גומלי חסדים המחזיקים בבריתו של אברהם אבינו שנאמר כי ידעתיו למען אשר יצוה את בניו וגו׳, Brethren, ye who are doing lovingkindness and are the sons of such as were doing lovingkindness, and who are holding fast to the covenant of our father Abraham, as it says, Gen. 18, 19, 'For I have known him to the end that he may command his children and his household after him, that they may keep the way of the Lord, to do righteousness and justice'. The ways of God include lovingkindness, and Abraham's practice of it was based on God's commandment, a covenant with Abraham. So also in Yer. Pe'ah VIII, 21 a, 39 ; Lev. rab. 34, 14 R. Yoḥanan says that when a poor man asks for clothes, we make no investigations מפני בריתו של אברהם אבינו, on account of the covenant with Abraham. See the note of D. Luria. Cf. Friedmann in בית תלמוד 5, 1886, 136–38.

[2] Threni rab. 1, 5, 31 ; Bacher, Tannaiten, I, 43 ff.

[3] Tos. Berakh. 3, 7 : אמר רבי אלעזר ברבי צדוק אבא היה מתפלל תפלה קצרה בלילי שבתות, מאהבתך ה׳ אלהינו שאהבת את ישראל עמך ומחמלתך מלכנו שחמלת על בני בריתך נתת לנו ה׳ אלהינו את יום השביעי הגדול והקדוש הזה באהבה.

Israel Thy people, and in Thy pity with which Thou, our King, hast pitied the sons of Thy covenant, Thou hast given us, O Lord our God, this great and holy Sabbath in love'. First it should be noted that the prayer opens and closes with a reference to God's love of Israel, and it states that the Sabbath was given to the people by God neither in His anger as a punishment, nor as a discipline by chastisement, nor even as a burden, but in love, as a manifestation of His love and compassion.[1] At the time when He gave His people the Sabbath in love, they were בני בריתך, the sons of His covenant; and as the Sabbath was given by God to Israel in the fourth Commandment of the Decalogue, explicitly termed in Deut. 5, 2. 3; 9, 9; 4, 13. 23; Exod. 34, 28; 19, 5 the covenant which He made with Israel at Sinai, the people that submitted to the covenant and bound itself to obey its laws is designated as בני בריתך, or, more exactly, as מקבלי ברית. For in the interpretation of Lev. 1, 2 by an unnamed teacher we read of the persons who may bring an acceptable sacrifice to God,[2] 'As Israelites who accept the covenant (may bring a sacrifice), so may also proselytes, for they accept the covenant, but excluded are the apostates, for they have broken the covenant, and it says, Prov. 21, 27, The sacrifice of the wicked is an abomination'. The covenant does not mean here circumcision, which would also be suggested by the inclusion of the proselytes; but, as also the apostates are circumcised, the covenant which they break by their rejection of Judaism is that made with Israel at Sinai.[3] For the dispute of

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[1] See Güdemann in MGWJ. 59, 1915, 145 ff., and Berakh. 49 a bottom, where a Babylonian teacher of the third century quotes the, no doubt, early blessing to be recited within the grace after meals on the Sabbath, whenever by mistake the longer special insertion for the day was not recited: ברוך שנתן שבתות למנוחה לעמו ישראל באהבה לאות ולברית ברוך מקדש השבת.

[2] Sifra Lev. 1, 2, 4 c: מה [בני] ישראל מקבלי ברית אף הגרים מקבלי ברית יצאו המשומדים שאינן מקבלי ברית שהרי הפרו ברית וכן הוא אומר זבח רשעים תועבה.

[3] Cf. Acts 3, 25: Ye are the children of the prophets, and of the

R. Eliezer and R. Akiba before the year 120 about the special meaning of the covenant in Exod. 19, 5,[1] ‘R. Eliezer says, It is the covenant of the Sabbath; and R. Akiba says, It is the covenant of circumcision and of idolatry’, shows that the covenant was referred not only to circumcision, but also to the Sabbath and the prohibition of idolatry which are termed in the Pentateuch God’s covenants.[2] And the technical expression ‘break the covenant’, above applied to the apostates, is elsewhere explained[3] as כופר בעיקר, as the denial of the essence and basis of Judaism, i.e. of God.[4]

As to the meaning of בני ברית, there is no doubt that it usually denotes the Jews as circumcised as against the Gentiles the uncircumcised.[5] But there is, on the other

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covenant which God made with our fathers, saying unto Abraham, And in thy seed shall all the kindreds of the earth be blessed.

[1] Mekhil. Exod. 19, 5, 62 b: ושמרתם את בריתי, רבי אליעזר אומר זה ברית שבת ורבי עקיבא אומר זה ברית מילה ועבודה זרה, Mekhil. R. Simeon Exod. 19, 5, 95 differently: ושמרתם את בריתי, רבי אליעזר אומר זו ברית מילה רבי עקיבא אומר זו ברית שבת וחכמים אומרים זו ברית עבודה זרה.

[2] Exod. 31, 16; Deut. 17, 2; see further, p. 100, 1.

[3] Sifra Lev. 26, 15, 111 c top: תלמוד לומר להפרכם את בריתי, הא כל שיש בו כל המדות הללו סוף שהוא כופר בעיקר, see below, p. 99, 2.

[4] The covenant is identified with the Torah by R. Eliezer b. Yehudah of Barthotha, before the year 136, in Baraitha Shabb. 33 a on Lev. 26, 25: דכתיב והבאתי עליכם חרב נוקמת נקם ברית וגו׳ ואין ברית אלא תורה...

[5] So in the old Mishnah Baba kam. 1, 3: ועל פי עדים בני חורין בני ברית; Tos. 1, 1. 2: על פי עדים ... בני חורין ובני ברית יצאו גוים ועבדים ופסולי עדות. Also in Mekhil. Exod. 20, 10, 69 b: עבדך ואמתך, אלו בני ברית, אתה אומר אלו בני ברית או אינו אלא עבד ערל, כשהוא אומר וינפש בן אמתך והגר הרי עבד ערל אמור הא מה תלמוד לומר עבדך ואמתך אלו בני ברית, ‘thy manservant and thy maidservant’ are sons of the covenant; do you agree that they are sons of the covenant, or do you think that an uncircumcised manservant is meant? As it says, Exod. 23, 12, ‘and the son of thy handmaid and the stranger may be refreshed’, the uncircumcised manservant is already stated; therefore, when it says, ‘thy manservant and thy maidservant’, sons of the covenant are meant. Though the maidservant is quoted from the verse, the argument only deals with the manservant, and the covenant is the circumcision; in fact, the parallel in Mekhil. 23, 12, 101 a does not mention the maid-

hand, clear evidence that, as in R. Ṣadok's prayer, בן ברית also designated the Jew who adhered to the covenant of God. For a Baraitha states,[1] 'When we see a man pursuing another man to kill him, we tell him, Consider that the man (pursued by thee) is an Israelite and a son of the covenant, and the Torah says, Gen. 9, 6, "Whoso sheddeth man's blood, by man shall his blood be shed", &c.' Tosafōth explain the terms thus, 'He is an Israelite', and not a non-Jew; 'a son of the covenant', and not a מומר, an apostate; as Sifra, quoted above, excludes the משומד from the people of Israel concerning the right of the Israelite to bring an acceptable sacrifice to God. As the Israelites are God's בני ברית, so God Himself is called בעל הברית, the Author of the covenant with Israel.[2] 'R. Eleazar (b. 'Arakh) said, Be

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servant, as the verse only speaks of the manservant. The parallel Baraitha in Yebam. 48 b has instead of בני ברית the clear עבד מהול, the circumcised manservant, and in another Baraitha there R. Ishmael and R. Akiba also use for the uncircumcised manservant the words עבדים שאינם מלין.

[1] Synh. 72 b: רודף שהיה רודף אחר חבירו להורגו אומרין לו ראה שישראל הוא ובן ברית הוא והתורה אמרה שופך דם האדם באדם דמו ישפך אמרה תורה הצל דמו של זה בדמו של זה. תא שמע רודף שהיה רודף אחר חבירו להורגו אומרין לו ראה שישראל הוא ובן ברית הוא והתורה אמרה שופך דם האדם באדם דמו ישפך אם אמר יודע אני שהוא כן פטור על מנת כן אני עושה חייב. In Mekhil. Exod. 23, 7, 100 a top, in a different case it reads differently: ראוהו רודף אחר חבירו להרגו והסייף בידו אמרו לו הוי יודע שהוא בן ברית והתורה אמרה ונקי וצדיק אל תהרג ואומר שופך דם האדם באדם דמו ישפך ואמר יודע אני על מנת כן והעלימו עדים עיניהם ואחר כך מצאוהו הרוג מפרפר . . . and the person pursued is only described as בן ברית. But, as Friedmann points out, Maimuni in ספר המצות, positive commandment No. 290, in quoting this passage has: ואמרו ישראל הוא בן ברית הוא, he is an Israelite, he is a son of the covenant. As the rule deals with a case different from that in Synh. 72 b, there is no ground for the assumption that Maimuni took over the additional words from the Talmudic passages. Cf. Sifré zuta Num. 35, 12, 182.

[2] Abōth R. Nathan, XVII, 33 b: רבי אליעור אומר [1] הוי שקוד ללמוד תורה [2] ודע מה שתשיב לאפיקורוס [3] ודבר. אחד בתורה אל תשתכח ממך [4] דע לפני מי אתה עמל [5] ומי הוא בעל בריתך. In Aboth 2, 14 R. Eleazar b. 'Arakh is the author of the statement, and the same name is to be read here. No. 3 is not included in the original Mishnah, and No. 5 reads there:

watchful in the study of the Torah, and know what answer to give to the unbeliever, and let not one word in the Torah be forgotten by thee, and know before whom thou toilest and who is 'בעל בריתך'. The term means in Gen. 14, 13 a confederate who makes a covenant with equals; but as God and Israel are not equals, and as the covenant at Sinai was not two-sided, confederate is not the equivalent word, but, as suggested, the Author, or Giver, of the covenant.

The covenant of God is in some statements imposed on inanimate things, and its meaning is not so clear as in the case of Israel at Sinai. R. Nathan b. R. Joseph said,[1] 'Just as the covenant is made for the land, so it is made for the chastisements, as it is said, Deut. 8, 5, 'the Lord thy God chasteneth thee', and it says, (7) 'for the Lord thy God bringeth thee into a good land'. It probably means that, as God solemnly promised by a covenant to the

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ונאמן הוא בעל מלאכתך שישלם לך שכר פעולתך, And faithful is thy Employer, who will pay thee the reward of thy labour. The changed wording is confirmed by the quotation in חומת ישרים (see Schechter) which has the addition: ונאמן בעל בריתך שישלם לך שכר פעולתך which is a consistent variation of R. Eleazar's, and also of R. Tarfon's statement following immediately after R. Eleazar's in Abōth 2, 16: ונאמן הוא בעל מלאכתך שישלם לך שכר פעולתך, and faithful is thy Employer to pay thee the reward of thy labour. Also 2 Abōth R. Nathan, XXX, 33 b has in R. Eleazar's statement the characteristic בעל בריתך in the wording otherwise changed: רבי אליעזר אומר הוי שקוד ללמוד תורה ומה שתשיב לאפיקורס על דברי תורה שלא יסתירו ודע מלפני מי אתה עמל ומי בעל בריתך שנאמר בכל דרכיך דעהו, Bacher, Tannaiten, I, 72, 5.

[1] Sifré Deut. 6, 5, 32, 73 b: רבי נתן ברבי יוסף אומר כשם שהברית כרותה לארץ כך ברית כרותה לייסורים שנאמר ה׳ אלהיך מיסרך ואומר כי ה׳ אלהיך מביאך אל ארץ טובה (ורחבה). In Mekhil. Exod. 20, 23, 72 b ff. it is introduced by . . . רבי יונתן אומר חביבין יסורין כשם שברית. The author was R. Yonathan b. Joseph, the well-known disciple of R. Ishmael, between the years 140–170, Bacher, Tannaiten, II, 351. In the parallel in Midr. Psalm 94, 2 the statement reads: חביבין ייסורין שהברית כרותה להן לישראל שנאמר והבאתי אתכם במסורת הברית, in manuscripts quoted by Buber: חביבין יסורין שבשבילן הברית כרותה לישראל. Cf. Sifra Lev. 26, 42, 112 c, § 8: ומנין שהברית כרותה לארץ תלמוד לומר והארץ אזכור, and 26, 45, 112 c: ומנין שהברית כרותה לשבטים. Cf. Job 31, 1; Gen. r. 34, 15.

patriarchs that Canaan would be given to their descendants, so He undertook to punish the Israelite, whenever in God's view he would deserve it. But the difficulty is that, while we find the first-mentioned covenant explicitly stated in Gen. 15, 18; Exod. 6, 4, no reference to the other is to be found in any part of the Bible; and certainly the two passages adduced as proofs neither mention nor indicate such a covenant. But, as will be shown later on, the name of God contains the covenant or the assurance that the action predicated of Him will be realized. And it is instructive to find that in his explanation to his disciple Zonén of the foolish belief in the miraculous cures by incubation in heathen temples, R. Akiba said, 'Whenever God sends chastisements upon man, He imposes an oath upon them that they will only come on the fixed day and only depart on the fixed day and at the fixed hour, and through the fixed person and the fixed medicine. If, however the affected person at the time fixed for the chastisements to leave him goes into a heathen temple, they say, We should be justified in not leaving him; and then add, Should we destroy our oath, because this fool has acted wrongly?'[1] Of a different kind is the covenant in the anonymous statement,[2] most probably of R. Eliezer, 'Just as the Torah was given with (or by) a covenant, so work was given with (or by) a covenant, as it says, Exod. 20, 9, Six days shalt thou labour, and do all thy work; (10) but the seventh day is a Sabbath unto the Lord thy God'. As it is not evident where the covenant is mentioned in the verse adduced, the text was emended and Exod. 31, 16 substituted, 'to observe the Sabbath throughout their generations, for a perpetual covenant', wherein the covenant is present in connexion with the Sabbath. But there it does not refer to the duty of working and it is separated from the commandment to work during the week by several lines. But the parallel clearly states, 'Again R. Eliezer said, Great is work, for just as the Israelites were commanded concerning the Torah, so they were commanded concerning work, as it says, Six days shalt thou labour, and do all thy work'. As the whole Decalogue is termed the covenant of God, Deut. 4, 13; 5, 2–5; 9, 9; Exod. 34, 28, and, in a wider application, all the commandments in the Torah also are, the duty to work throughout the week, stated in the Decalogue, was ordered as a part of it under the same covenant as the whole of the Ten Commandments and the Torah.[1]

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[1] 'Abodah zar. 55 a; Bacher, Tannaiten, I, 294, 3, to whose references add Reinach, Textes d'auteurs Grecs, 99; 100, 1; Ben Chananja 3, 570.

[2] ARN, XI, 22 b: שכשם שהתורה נתנה בברית כך המלאכה נתנה בברית שנאמר ששת ימים תעבוד ועשית כל מלאכתך ויום השביעי שבת לה׳ אלהיך; this is followed immediately by an illustrating statement of R. Akiba, so that it was probably by an earlier teacher. In fact, 2 ARN, XXI, 22 b has: ועוד היה רבי אליעזר אומר גדולה היא מלאכה שכשם שנצטוו ישראל על התורה כך נצטוו על המלאכה שנאמר ששת ימים תעבוד ועשית כל מלאכתך.

A contemporary of R. Ṣadok and of R. Yoḥanan b. Zakkai, who lived in Jerusalem before its destruction in the year 70 and survived for a short time after it, Ḥaninah, the head of the priests in the Temple, referred to the covenant at Sinai by a peculiar, though synonymous term and gave it a different meaning.[2] He said, 'With reference to the law on which the whole world depends, an oath[3] was pronounced from Mount Sinai: if thou hatest thy fellow-man whose actions are as bad as thine, I am the Lord, the Judge to punish thee; and if thou lovest thy fellow-man whose actions are as proper as thine, I am the Lord, trustworthy to have mercy on thee’. As the fuller parallel passage shows, R. Ḥaninah commented on Lev. 19, 18, ‘and thou shalt love thy neighbour as thyself: I am the Lord’; and as his own words indicate, his emphatic warning was directed against those who only loved Jews with good deeds, but hated Jews with evil actions. He emphasizes the uniqueness of the commandment by pointing out that the existence of the whole of human society is depending on it. As he interprets the words אני ה׳ which are added to this injunction[1] and to only a few more, it seems that the oath spoken on Mount Sinai in connexion with this commandment is contained in the delaration, ‘I am the

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[1] In Mekhil. Exod. 31, 16, 104a bottom: R. Eliezer (in Mekhil. R. Simeon Exod. 31, 16, 161 R. Eleazar) explains the word ברית in connection with the Sabbath: דבר שהברית כרותה לו ואי זו זו מילה to refer to circumcision concerning which God made a covenant in Gen. 17, 10 ff.; note the technical expression.

[2] 2 ARN, XXVI. 27a: רבי חנינא סגן הכהנים אומר, דבר שכל העולם כולו תלוי בו נאמר עליו שבועה מהר סיני, אם שונא [את] חבירך שמעשיו רעים כמעשיך אני ה׳ דיין להפרע מאותו האיש ואם אוהב את חבירך שמעשיו כשרים כמעשיך אני ה׳ נאמן ומרחם עליך.

[3] The text has שמועה, but Schechter is undoubtedly right in emending it to שבועה on the parallel in ARN, XVI, 32b bottom: רבי שמעון בן אלעזר אומר בשבועה גדולה נאמר דבר זה ואהבת לרעך כמוך אני ה׳ בראתיו אם אתה אוהבו אני נאמן לשלם לך שכר טוב ואם לאו אני דיין לפרוע, R. Simeon b. Eleazar said, The commandment, 'and thou shalt love thy neighbour as thyself, I am the Lord', was promulgated with a great

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oath: I am the Lord, I created him; if thou lovest him, I am trustworthy to pay thee a good reward; but it thou lovest him not, I am the Judge to punish. (As to בשבועה, see Schechter's note on that reading in the manuscripts.) This is preceded by הלא הוא אומר ואהבת לרעך כמוך אני ה׳, מה טעם, כי אני בראתיו ואם עושה מעשה עמך אתה אוהבו ואם לאו אי אתה אוהבו. As to the author of the statement, it seems that R. Simeon b. Eleazar originally quoted it in the name of R. Ḥaninah and this name dropped out; just as R. Simeon b. Eleazar's statement in Baraitha Megillah 31 b; Tos. ‘Abod. zar. 1, 19; Bacher, Tannaiten, II, 425, 3, is, according to הוא היה אומר in 2 ARN, XXXI, 33 b, by R. Yoḥanan b. Zakkai, and is explicitly quoted in his name in Mekhil. Deut. 12, 2, JQR, 16, 1904, 447; Midr. Tannaim, 58, 4.

[1] In the parallel in ARN, XVI, 32 b bottom, in the passage immediately preceding that of R. Simeon b. Eleazar, the first group of Jews is described as עושה מעשה עמך, as practising the deeds of the people of Israel. In Mekhil. Exod. 22, 27, 97 a, on ‘Thou shalt not revile judges, nor curse a ruler of thy people’, R. Yehudah b. Bethera says, ומה תלמוד לומר בעמך בזמן שהן עושין מנהג עמך, ‘in thy people’ means: only if they practise the custom of thy people. Mekhil. R. Simeon Exod. 22, 27, 152 has instead: בנוהג מנהג עמך פרט לשפירשו מדרכי צבור כירבעם בן נבט, Only if he follows the ways of thy people, excluding those who have separated from the ways of the community like Jeroboam the son of Nebat. Yalkut's reading of Mekhil. is: אי נשיא כאחאב וחביריו תלמוד לומר בעמך לא אמרתי אלא בזמן שהן נוהגין כמנהג עמך; Baraitha

Lord'.[1] His idea of the exceptional oath on Mount Sinai is extended by R. Yehudah b. Bethera, as it appears, to all the commandments revealed on Sinai; for he said,[2] 'Since he who swore to perform a religiously indifferent act concerning which he does not stand adjured from Mount Sinai, is liable, if he did not keep his oath, how much more should he be liable in the case of a religious commandment concerning which he stands adjured from Mount Sinai'. As R. Yehudah takes the idea of the oath for granted and his opponents do not question it, it must have been accepted by the schools before his time, though, as far as I can see, no trace of it has been preserved in the Rabbinic literature.[3]

Baba bath. 4a top: בעושה מעשה עמך. In Synh. 47a bottom: תני רב שמועיה יכול אפילו פירשו אבותיו מדרכי צבור, Shebu'ōth 30a bottom: תני רב יוסף בצדק תשפוט עמיתך עם שאתך בתורה ובמצות השתדל לדונו יפה יפה, Him who is at one with thee in the Torah and the commandments judge properly.

[1] There is, as far as I can see, only one exact parallel to support it, Mekhil. Exod. 12, 12, 8a top: אני ה׳, בשבועה אני נפרע מהם, 'I am the Lord', I swear that I shall punish the Egyptians. But even here the word בשבועה is not quite uncontested, see Friedmann's note.

[2] Shebu'ōth, 3, 6; Sifra Lev. 5, 4, 23c: אמר רבי יהודה בן בתירא מה אם הרשות שאינו מושבע עליה מהר סיני הרי הוא חייב עליה מצוה שהוא מושבע עליה מהר סיני אינו דין שיהא חייב עליה.

[3] In Lev. rab. 6, 5, in commenting on the covenant in Exod. 24, R. Yosé b. R. Ḥaninah, of Tiberias in the third quarter of the third century, says, 'God swore to Israel, Ezek. 16, 8, "Yea, I swore unto thee, and entered into a covenant with thee", and Israel swore to God, Deut. 29, 11, "that thou shouldest enter into the covenant of the Lord thy God and into His oath"; and when they transgressed the terms at Mount Sinai, God said to them, Lev. 26, 16, "I also will do this unto you". R. Yoḥanan says, God and Israel swore to one another (see Krauss, Lehnwörter, II, 510 b ff.) that He would keep faith with them and they would keep faith with Him. R. Yoḥanan further says that Ṣedekiah was blinded, because he had despised the oath which he had sworn to Nebuchadnezzar, and broken God's covenant at Mount Sinai, Ezek. 17, 19. But also teachers of the second century refer to God's oath imposed upon Israel; so R. Meir who refers Canticles to Israel's coming out of Egypt and to the revelation on Sinai, explains Cant. 2, 7, 'I adjure you, O daughters of Jerusalem' in Cant. r. thus: God said to Israel, If you will keep My oath, I shall make you like the host of heaven, but if not, I shall make you like a host on earth. But he explains neither the oath nor its

As in R. Haninah's view אני ה׳, added to one special commandment in Lev. 19, 18, denoted an oath imposed by God upon the Israelites at Sinai, it may have meant the same when appended to a general order inculcating the duty to observe all the injunctions of the Torah. Now Lev. 22, 31 reads: ושמרתם מצותי ועשיתם אותם אני ה׳, 'And ye shall keep My commandments, and do them: I am the Lord', and Lev. 18, 4: את משפטי תעשו ואת חקתי תשמרו ללכת בהם אני ה׳ אלהיכם (5) ושמרתם את חקתי ואת משפטי אשר יעשה אתם האדם וחי בהם אני ה׳ (4) 'Mine ordinances shall ye do, and My statutes shall ye keep, to walk therein: I am the Lord your God. (5) Ye shall therefore keep My statutes, and Mine ordinances, which if a man do, he shall live by them: I am the Lord.' Though here Sinai is not explicitly mentioned, R. Yehudah b. Bethera stated that God's oath was imposed upon every Israelite at Sinai that he should observe every commandment given by Him. But the fact that his colleague R. Ishmael,[1] in interpreting Lev. 18, 6–30, said, 'The prohibited cases of sexual intercourse are very weighty, as God put His name at the beginning of the section, 18, 6, and again added His name at the conclusion of it, 18, 30', and did not designate אני ה׳ as God's oath, would suggest that perhaps he did not accept the view of R. Ḥaninah, the noble priest.

An even wider application of the meaning of God's oath is found in a statement of R. Eliezer or R. Ishmael[2] in his

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object. In Mekhil. Exod. 13, 17, 24 a top, Psalm 78, 10, 'They kept not the covenant of God, and refused to walk in His teaching', is referred to the sons of Ephraim in Egypt, על שעברו על הקין ועל השבועה, who ignored the date fixed for Israel's redemption from Egypt and also transgressed the oath. The latter seems to refer to the covenant of God with Abraham in Gen. 15; see Cant. rab. 2, 7.

[1] Sifra Lev. 18, 1. 2, 85 d: רבי ישמעאל אומר חמורות העריות שהוא פותח בהם ביו״ד ה״א וחותם בהם ביו״ד ה״א, שבתחלת הענין הוא אומר איש איש אל כל שאר בשרו לא תקרבו לגלות ערוה אני ה׳, ובסוף הענין הוא אומר ושמרתם את משמרתי לבלתי עשות מחקות וגו׳ אני ה׳ אלהיכם, הא חמורות העריות שהוא פותח בהן ביו״ד ה״א וחותם בהם ביו״ד ה״א.

[2] Mekhil. R. Simeon Exod. 6, 2, 4: וידבר אלהים אל משה ויאמר אליו אני ה׳, רבי אליעזר אומר אמר לו הקב״ה למשה אני שאמרתי והיה העולם

interpretation of Exod. 6, 2, 'And God spoke unto Moses, and said unto him, I am the Lord', God said to Moses, It is I who spoke, and the world was created, Psalm 50, 1; it is I who said to Abraham (at the covenant) between the pieces, Gen. 15, 13, 'Know of a surety that thy seed shall be a stranger, &c.'; and now that oath has come before Me urging in an unwonted way that I should bring out My children from Egypt, and thou sayest, Exod. 4, 13, 'Send, I pray Thee, by the hand of him whom Thou wilt send!' R. Eliezer terms God's assurance to Abraham that He will bring out his descendants from Egypt, God's oath, that demands its realization now that the time fixed for Israel's suffering has nearly expired. The oath which is not mentioned in Gen. 15, may be a rendering of the covenant in Exod. 6, 4, 'And I have also established My covenant with them, to give them the land of Canaan, ... (5) and I have remembered My covenant. (6) Wherefore say unto the children of Israel, I am the Lord.' R. Matthia b. Ḥarash who probably emigrated from Judaea in the year 117 or 133 to Rome and founded there a school, in commenting on Ezek. 16, 8,[1] 'Now when I passed by thee, and looked upon thee, and behold, thy time was the time of love', said, '(The time of) the oath which God had sworn to Abraham that He will redeem his children, arrived, but the Israelites in Egypt had no commandment with which they could occupy themselves (to merit) redemption'. Again the assurance of God to Abraham in a covenant is termed His oath. And again in an anonymous statement[2], 'Moses stood by the

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שנאמר אל אלהים דבר ויקרא ארץ, אני שאמרתי לאברהם אביכם בין
הבתרים ידוע תדע כי גר יהיה זרעך, עכשיו הרי שבועה מבהלת ובאת לפני שלא
כדרך ארץ שאוציא את בני ממצרים ואתה אומר שלח נא ביד תשלח.
See Hoffmann's note 2. Later on R. Simeon b. Yoḥai uses the same words.

[1] Mekhil. Exod. 12, 6, 5 a top: הגיע שבועתו שנשבע הקב״ה לאברהם שיגאל את בניו, cf. Aggad. Cant. 6, 11, Schechter, and p. 89, 1220 ff.

[2] Mekhil. Exod. 13, 19, 24 a: הגיעה השבועה שנשבע הקב״ה לאברהם אבינו שהוא גואל את בני; Mekhil. R. Simeon Exod. 13, 19, 39.

Nile, threw a clod into it and exclaimed, Joseph, Joseph, (the time of) the oath which God had sworn to Abraham that He would redeem His children, has arrived'. It is instructive to find[1] in an anonymous comment on Exod. 13, 5, 'which He swore unto thy fathers', the explanation, Where did He swear? Of Abraham it says, Gen. 15, 18, 'In that day the Lord made a covenant with Abram, saying, &c.'; to Isaac He said, Gen. 26, 3, 'Sojourn in this land, and I will be with thee, and I will bless thee; for unto thee, and unto thy seed I will give all these lands, and I will establish the oath which I swore unto Abraham thy father'; to Jacob He said, Gen. 28, 13, 'The land whereon thou liest, to thee will I give it, and to thy seed'; and to Israel He said, Exod. 6, 8, 'And I will bring you in unto the land'. In none of the passages adduced is an oath of God to the respective patriarch mentioned, though it is incidentally referred to in Gen. 24, 7; 26, 3; Exod. 6, 8; Deut. 31, 7. 20; 34, 4. Only with Abraham was a covenant made, while to Isaac and Jacob merely a promise was given, termed by R. Yehudah b. Bethera הבטחה.[2] It is possible that the teachers spoke of the oath of God in every instance, because they found it mentioned in other contexts in the Pentateuch.[3] And it may be added here that R. Eliezer and R. Eleazar b. ʿAzaryah used the word ברית as a form of oath: by the covenant![1]

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[1] Mekhil. Exod. 13, 5, 20 a; 13, 11, 22 a.

[2] Ibid. 14, 15, 29 a.

[3] It is interesting that the oath of God in Is. 54, 9, 'For as I have sworn that the waters of Noah should no more go over the earth', which is only indirectly mentioned as a covenant in Gen. 9, 11, is found by a Haggadist in Tanḥ. נח, 11; B. 17, 22 a; Yalkut Makhiri Is. 54, 9, 199, in Gen. 8, 21. In Baraitha Zebaḥ. 116 a bottom; Mekhil. Exod. 18, 1, 57 a top R. Eleazar of Modim says that, when at the revelation of the Torah God's voice was heard throughout the world, the kings of the nations all came to Balaam and asked him whether the voice announced the coming of a new flood, but he replied, כבר נשבע הקב"ה שאינו מביא מבול לעולם . . . כבר נשבע שאינו משחית כל בשר, He swore that He would never again destroy all flesh, or, as only in Mekhil., He swore to Noah that He would never again bring a flood upon the world, as it says in Is. 54, 9, &c. This shows that already before the fall of Betthar the oath was assumed to be stated in Gen. 8, 21. In Baraitha Shebu'ōth 39 a; Tos. Sotah 7, 4 it is stated, We find that Moses our teacher adjured

4. As to the binding force of God's commandment for Israel and the source of its obligation to observe them, some statements of R. Yoḥanan b. Zakkai suggest a different line of thought. When in Jerusalem[2] his disciples were dissatisfied with the evasive answer given by him to the question of a Gentile concerning the purifying effect of the ashes of the Red Heifer in Num. 19, and they pressed him for the true explanation, he said to them,[3] 'By your life! the human corpse does not defile, neither does the water (mixed with the ashes) purify, but it is the decree of the King of the kings of kings: God said, I have ordered an ordinance and I have decreed a decree, and no mortal must transgress My decree, as it is written, Num. 19, 2, This is the ordinance of the Torah.' First, the description of God's unchallenged and unquestioned position in the Universe should be noted:[4] Vespasian, the Roman emperor, is a mighty ruler over many kings and over vast territories of the earth, but there are other rulers like him in other parts of the earth, who also command the allegiance of numerous princes; but God is the King over the Roman emperor and the other equally mighty rulers, and His dominion is the whole Universe. Just as the Roman emperor issues his edicts and orders to his subjects

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Israel in this way, I adjure you not in your sense, but in the sense of God and in my sense, Deut. 29, 13. It is not certain whether the adjuring is derived from the covenant or from האָלה. Cf. Sifra Lev. 5, 1, 22 c, 1.

[1] In Baraitha Pesaḥ. 38 b bottom R. Eliezer says: ברית הן הן הדברים שנאמרו לו למשה בסיני, but in the parallel in Tos. Ḥallah 1, 6 R. Eleazar b. ʿAzaryah. In Yer. Pe'ah, VI, 19 b, 76 in a different case R. Eleazar b. ʿAzaryah uses it in the same sense.

[2] Pesikt. R. Kahana 40 b and the parallels noted by Buber.

[3] חייכם לא המת מטמא ולא המים מטהרים אלא גזרתו של מלך מלכי המלכים הוא, אמר הקב״ה חוקה חקקתי גזרה גזרתי אין אדם רשאי לעבור על גזרתי דכתיב זאת חקת התורה.

[4] On his death-bed R. Yoḥanan b. Zakkai described God in the same terms, Baraitha Berakh. 28 b.

in Judaea and the Jews have to obey them whether they appeal to their understanding or not, so God as the Master of all living creatures issues decrees, most of them reasonable, to all humanity, including His people; and though He sometimes gives no reason for one or the other of His ordinances and it appears to be unintelligible,[1] no human being disobeys it without exposing himself to God's resentment. But why of all humanity have only the Israelites to keep His commandments? When[2] his disciples asked R. Yoḥanan b. Zakkai why of all the parts of the body it is the ear of the Hebrew slave that had to be bored through as the mark of his self-inflicted bondage, he replied, 'The ear that had heard from Mount Sinai the words, Lev. 25, 55, "For unto Me the children of Israel are servants, they are My servants", and broke the yoke of Heaven from off it and assumed the yoke of a human being to rule over it, let it be bored through, because it observed not that which it had heard'. In the fuller, though somewhat different account he said,

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[1] The argument of R. Yoḥanan shows that גזרה, like חקה, denotes a law of God which is not intelligible. Cf. Mekhil. R. Simeon Exod. 18, 20, 89: והזהרת אתהם את החקים אלו גזרות ואת התורות אלו הוראות כך דברי רבי יהושע, 'And thou shalt teach them the statutes', these are decrees, 'and the teachings', these are decisions, says R. Joshua. In the parallel Mekhil. Exod. 18, 20, 59 b: את החקים אלו מדרשות והתורות אלו הוראות דברי רבי יהושע is hardly correct; Mekhil. Exod. 15, 26, 46a, is better; R. Joshua says: והאזנת למצותיו אלו גזרות ושמרת כל חקיו אלו הלכות, where, in misunderstanding the meaning of the first word, Yalkut reads גזרות שוות; גזרות more appropriately belong to חקיו.

[2] Tos. Baba kam. 7, 5: לפי ששמעה מהר סיני כי לי בני ישראל עבדים עבדי הם ופרקה ממנה עול שמים והמליכה עליה עול בשר ודם לפיכך אמר הכתוב תבא אוזן ותירצע שלא שמרה מה ששמעה. In Yer. Kiddush. I, 59 d, 31: שאלו התלמידים את רבן יוחנן בן זכאי מה ראה העבד הזה לירצע באזנו יותר מכל איבריו, אמר להן אוזן ששמעה מהר סיני לא יהיה לך אלהים אחרים על פני ופרקה מעליה עול מלכות שמים וקיבלה עליה עול בשר ודם, אוזן ששמעה לפני הר סיני כי לי בני ישראל עבדים והלך זה וקנה אדון אחר לפיכך תבא האוזן ותירצע לפי שלא שמר מה ששמעה אזנו. Baraitha b. Kiddush. 22 b has only as much as Tosiftha. Note in Tos. the curious combination והמליכה עליה עול, where עול is superfluous, as it is identical with מֶלך contained in והמליכה; see below.

'The ear that had heard from Mount Sinai Exod. 20, 3, "Thou shalt have no other gods before Me", and broke from off it the yoke of the Kingship of Heaven and accepted upon itself the yoke of a human being; the ear that had heard at Mount Sinai, "for unto Me the children of Israel are servants", and yet this man went and acquired another master, therefore let his ear be bored through, because he observed not that which his ear had heard'. In the second part of the last statement, which explains the first, קנה אדון corresponds with קיבלה עליה עול בשר ודם; God is not only the King of all kings, but He is also the only Master of Israel: He must be recognized solely and exclusively as the King of Israel, and not only no other god must be accepted, but not even the rule of any human being must interfere with His Kingship: the yoke of man is opposed to the yoke of God's rule.[1] That yoke was imposed upon the Israelites alone, as they alone stood at Mount Sinai. As the contrast in והמליכה and the words of R. Yoḥanan clearly show, the yoke of God was the sign and symbol of His rule over Israel, so that עבד means not a slave, but, as in Lev. 25, 42. 55 and in the Bible generally, the subject of a king to whose rule and authority he has submitted. Nothing in the statements indicates or implies that the yoke was made up by the sum total of the commandments or even by the Decalogue only. But, as the fuller account explicitly declares that the second Commandment forbade the acceptance of the yoke of a human being, it follows that it was His solemn declaration in the first commandment, 'I am the Lord thy God', that imposed upon the Israelites God's exclusive yoke of Kingship.

That idea was, indeed, fully stated about the middle of the second century by R. Simeon b. Yoḥai in an exposition of Lev. 18, 2,[1] 'Speak to the children of Israel, and say unto them, I am the Lord your God'. 'R. Simeon b. Yoḥai said, That is what was said by God in Exod. 20, 2, "I am the Lord thy God": am I not the Lord whose rule ye accepted in Egypt? When the Israelites replied, Yes, (God continued), As ye accepted My rule, accept My decrees: "Thou shalt have no other gods before Me". The same is said here, Lev. 18, 2, "I am the Lord your God", am I not He whose rule ye accepted at Sinai? When the Israelites replied, Yes, God said, As ye accepted My rule, accept My decrees: "After the doings of the land of Egypt shall ye not do", Lev. 18, 3.[2] In two instances R. Simeon found God's

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[1] In this instance the human master is an Israelite, unlike that in the declaration of the Zealot Eleazar to his followers in Josephus, Wars, 7, 8, 6, 323: We have resolved for a long time δουλεύειν, to be subject neither to the Romans nor to anybody else, except to God alone, for He is alone the true and just Master, δεσπότης, of men. See Friedmann on Mekhil. Exod. 21, 6, 77 a, note 35.

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[1] Sifra Lev. 18, 2, 85 d; Mekhil. Exod. 20, 2, 67 a ff.: דבר אל בני ישראל ואמרת אליהם אני ה׳ אלהיכם, רבי שמעון בן יוחאי אומר הוא שנאמר להלן אנכי ה׳ אלהיך וגו׳ אני ה׳ שקבלתם מלכותי עליכם במצרים, אמרו לו הין והין קבלתם מלכותי קבלו גזרותי לא יהיה לך אלהים אחרים על פני הוא שנאמר כאן אני ה׳ אלהיכם אני הוא שקבלתם מלכותי בסיני, אמרו לו הין והין קבלתם מלכותי קבלו גזרותי כמעשה ארץ מצרים וגו׳.

[2] In Mekhil. Exod. 20, 3, 67 a: Why does it say, 'Thou shalt have no other gods before Me?' Because it says before, 'I am the Lord thy God'; it is like the case of the king to whom, when he entered into a province, his companions said, Decree for the inhabitants decrees, but he said to them, When they will have accepted my kingship, will I decree for them decrees, for if they accept not my sovereignty, they will not accept my decrees'. In Mekhil. Exod. 20, 2, 66 b Rabbi says, 'This is to tell us of Israel's praises, for, as they were all standing at Mount Sinai to receive the Torah, they were all of one heart to accept the rule of God with joy'. As in 20, 3, 67 b top R. Simeon b. Yoḥai says, 'God said to the Israelites, As ye accepted My rule in love', it is probable that in the passage quoted before the name of Simeon was lost after רבי. For it is he who refers to the Kingship of God also in Baraitha in Midr. Samuel 13, 4; Bacher, Tannaiten, II, 124; בית תלמוד, 3, 1884, 308 ff. Cf. also the anonymous statement in Sifré Deut. 32, 29, 323: What did the Torah say to the Israelites? קבלו עליכם עול מלכות שמי והכריעו זה את זה ביראת שמים והתנהגו זה את זה בגמילות חסדים, Accept upon you the yoke of the rule of Heaven, and judge one another in the fear of God, and conduct yourselves towards each other in loving-kindness. (שמי is a mistake for שמים, Schechter in JQR. 7, 1896, 203, 1; Schreiner in Jahrbuch für jüd. Geschichte und Literatur, 2, 1894, 88. הכריעו seems to mean the same as הוו דנים, hardly: outweigh, as Schechter suggests.) This also seems to

Kingship declared in the words אנכי ה׳ and אני ה׳, and in both he found God's Kingship accepted by Israel in the words אנכי ה׳ אלהיך and אני ה׳ אלהיכם, meaning: I am the Lord, the Creator and Master of the Universe, whom you have already accepted as your King, and now I may legislate for you.[1] The same is expressed in an anonymous statement by a different and very characteristic term,[2] 'Why were the Ten Commandments not stated at the beginning of the Torah? Because only after God had brought out Israel from Egypt, divided for them the Red Sea, brought down to them the Manna, brought up to them the well, driven across the quails and had fought for them the battle against Amalek, did He say to them, I wish to be King over you, and they replied, Yes'. And similarly the recognition of foreign gods is expressed by R. Ḥaninah b. Antigonos in his explanation of מֹלֶךְ by the same term,[3] 'See, the word מולך which the Torah used was to indicate that whatever thing they make king over them, even a chip of wood or a clod of earth, is an idol'. So מלכות שמים expresses by the abstract noun 'Kingship' in reality God Himself, as the King of the Universe dwelling in heaven, as if it said המלך שבשמים. This is made clear by a statement of R. Simeon b. Yoḥai:[4]

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belong to R. Simeon. Cf. Derekh ereṣ zuta, III: הוי דן את חבירך לכף זכות ואל תכריעהו לכף חובה, and Rashi on Shebu'ōth 30 a bottom.

[1] Cf. the exposition of Cant. 2, 4 by R. Yehudah b. Ilai as a reference to the revelation of the Torah in Cant. r. 2, 4: God gave to me at Sinai great numbers of laws, commandments and good deeds, and I accepted them in great love.

[2] Mekhil. Exod. 20, 2, 66 b: אמר להם אמלוך עליכם אמרו לו הן והן, cf. Tanḥ. וישלח B. 10 end.

[3] Sifré Deut. 11, 16, 43, 81 b; Baraitha Synh. 64 a bottom; Yer. VII, 25 c, 4: רבי חנינא בן אנטיגנוס אומר צא וראה לשון שתפסה תורה מולך כל שימליכוהו עליהם אפילו קיסם אפילו צרור. Cf. Synh. 7, 6: ואחד המקבלו עליו לאלוה והאומר לו אלי אתה.

[4] Baraitha quoted in Midr. Samuel 13, 4, 42 b Buber, on 1 Sam. 8, 7: תני רבי שמעון בן יוחי אותי מאסו גם אותי מאסו כי גם אותי מאסו, אמר לו בשלשה דברים הן עתידים למאוס במלכות שמים ובמלכות בית דוד ובבנין בית המקדש, אימתי מאסו בשלשתן בימי רחבעם הדא הוא דכתיב וירא כל

'For they also rejected Me', 1 Sam. 8, 7, 'God said to Samuel, The Israelites will once reject three things, the Kingship of Heaven, the rule (or the dynasty) of the house of David and the building of the Temple; they rejected all the three in the days of Reḥoboam. For it says, 1 Reg. 12, 16, "And when all Israel saw that the king hearkened not unto them, the people answered the king, saying, What portion have we in David?"—this refers to the Kingship of Heaven; "neither have we inheritance in the son of Jesse" refers to the kingship of the house of David; "to thy tents, O Israel; now see to thine own house" refers to the building of the Temple.' Here the word אותי in the Bible, referring to God, is rendered by מלכות שמים, so that this term means God. And the denial of God is expressed[1] by 'there is no rule in heaven, or: no Kingship in heaven'.

Further evidence to support the interpretation of אני ה׳ אלהיכם as a declaration of God's Kingship over Israel is offered by the Tannaitic references to the Prayer on the New Year called מלכיות.[2] 'R. Nathan says, "I am the Lord

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ישראל . . . לאמר מה לנו חלק בדוד זו מלכות שמים, ולא נחלה בבן ישי זו מלכות בית דוד, לאהליך ישראל עתה ראה ביתך דוד זה בנין בית המקדש, see Oppenheim in בית תלמוד, 3, 1884, 308 ff. אין לנו חלק is referred to the rejection of God on the similar אין לנו חלק בה׳ in Josh. 22, 25. 27. In Mekhil. Deut. 12, 5, edited by Schechter in Lowy's Festschrift, Hebrew section, p. 191, line 19: והיה המקום אשר יבחר ה׳ אלהיך בו, בית הבחירה קודם למלך והדין נותן נאמר מורא בשמים ומורא בארין ונאמר מלכות השמים ומלכות הארין מצינו מקדים מורא השמים למורא הארין כך הקדים מלכות השמים למלכות הארין, the duty to build the Temple has to be fulfilled before that of electing a king, and God in whose honour the Temple is to be erected is called מלכות שמים. See Schreiner in Jahrbuch für jüd. Geschichte, 2, 1899, 62.

[1] Sifré Deut. 32, 39, 329, 139 b: אין רשות בשמים, Midr. Tannaim Deut. 32, 39, 202: אין מלכות בשמים. Cf. R. Simeon b. Yoḥai's interpretation of the sin of Eli's sons in Midr. Samuel, VI, 1: בני עלי בני בליעל וגו׳ בנים שפרקו עול שמים מעליהם, אמרו אין מלכות בשמים דכתיב ובני עלי בני בליעל . . ., and below, p. 83.

[2] Sifré Num. 10, 10, 77, 19 b: אני ה׳ אלהיכם זה מלכיות, אם כן מה ראו חכמים לומר מלכות תחלה ואחר כך זכרונות ושופרות, אלא המליכהו עליך

your God", Num. 10, 10, prescribes מלכיות; if so (seeing that these words are the last in the verse), for what reason did the scholars place מלכיות first and זכרונות ושופרות later? (They said), First proclaim God King and then pray to Him for mercy in order to be remembered by Him'. Note that the duty to recognize and to declare God as our King is deduced by R. Nathan, as it was by his fellow-member in the school, R. Simeon b. Yoḥai, from 'I am the Lord your God'. A generation earlier his teacher R. Akiba explained the same three prayers and their objects in connexion with the meaning of the New Year's festival,[1] 'On the New Year recite before Him מלכיות to declare Him King over all His creatures; recite זכרונות so that the remembrance of you shall rise before Him for good, and recite שופרות so that your prayer shall ascend to Him amid the sounds of alarm'. These three additional paragraphs in the Prayer for the New Year were in vogue not only in the service in Jamnia under R. Gamaliel II,[2] but, as R. Eliezer tried to find biblical support for them,[3] they must have formed a part of the Prayer before his time, probably before the year 70, when he attended the school of R. Yoḥanan b. Zakkai in Jerusalem.[4] Consequently the conception of God as the King of the Universe, and especially as that of Israel, so strongly emphasized by Isaiah, was already then Present in the Prayer as a declaration. It may further be added that in a dispute between two colleagues of R. Simeon b. Yoḥai and R. Nathan about the suitability of certain biblical verses as proclamations of God's Kingship in that Prayer,[5] R. Yosé accepts the three

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תחלה ואחר כך בקש מלפניו רחמים כדי שתזכר לו, in Rosh haShan. 32a attributed to Rabbi. Cf. Yer. RH, III, 58d, 40.

[1] Tos. Rosh haShan. 1, 12: אמרו לפניו מלכיות שתמליכוהו על כל מעשיו זכרונות שיעלה זכרוניכם לפניו לטובה ושופרות שתעלה תפלתך בתרועה לפניו. The parallel Baraitha in b. RH, 16a bottom; Bacher, Tannaiten, I, 327ff., has כדי שתמליכוני עליכם, to declare Me King over you.

[2] Baraitha RH, 32a; Yer. IV, 59c, 11; Tos. 4, 5; Sifra Lev. 23, 24, 101d, § 5.

[3] RH, 32a.

[4] See Büchler, Types of Jewish Piety, 240.

[5] Baraitha RH, 32b: תנא שמע ישראל ה׳ אלהינו ה׳ אחד מלכות

solemn and emphatic proclamations of the unity of God in Deut. 6, 4; 4, 39; 4, 35 as declarations of God's Kingship. Now, the first has the words ה׳ אלהינו, the second ה׳ האלהים, and the third ה׳ הוא האלהים, which are similar to R. Simeon's אנכי ה׳ אלהיך and his and R. Nathan's אני ה׳ אלהיכם and, as those teachers, interpret God as the King of the Universe. But these verses do not contain the direct personal declaration of God, nor His direct address to Israel to recognize Him, as their King; and these considerations may have weighed with R. Yehudah to pronounce those unsuitable for the declaration and acceptance by Israel of God's Kingship. Considering that R. Akiba and his contemporaries recognized and used Deut. 6, 4 for that declaration and that that verse was officially approved as suitable, the opposition of R. Yehudah even to Deut. 6, 4 which contains 'our God' as Israel's unmistakable acceptance of God's Kingship is undoubtedly strange. When once, at the conclusion of a series of public fasts held on account of a long drought, R. Eliezer stepped before the Ark and recited the twenty-four blessings prescribed for the occasion, but no rain fell, R. Akiba went down before the Ark and prayed thus, 'Our Father, our King, we have no King but Thee; our Father, our King, for Thy sake have mercy upon us!' and rain fell.[1] God is addressed twice as King, and the meaning of the title may be gauged from the fact that it is coupled with 'our Father' and is used in the prayer for mercy in the great and oppressive distress and with the prospect of death by famine. The coupling of the two titles shows at the same time that the favourite assertion of Bousset and others that the Jews regarded their God as an absolute

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דברי רבי יוסי, רבי יהודה אומר אינה מלכות, וידעת היום והשבות אל לבבך כי ה׳ הוא האלהים אין עוד מלכות דברי רבי יוסי, רבי יהודה אומר אינה מלכות, אתה הראית לדעת כי ה׳ הוא האלהים אין עוד מלבדו מלכות דברי רבי יוסי, רבי יהודה אומר אינה מלכות. See Rabbinovicz and Deut. r. 2, 31.

[1] Baraitha Ta'anith, 25 b: ירד רבי עקיבא אחריו ואמר אבינו מלכנו אין לנו מלך אלא אתה אבינו מלכנו למענך רחם עלינו, וירדו גשמים, see Rabbinovicz.

tyrant before whom they ever stood in awe and terror, has no foundation. The emphatic declaration that God is Israel's only King suggests that it is the rendering of ה׳, of whom the three verses, quoted from Deuteronomy by R. Yosé as proclamations of God's Kingship, declare that He is the only God, none beside Him, and it confirms the identity of 'King' with ה׳. The stress laid on God's Kingship suggests that at a certain date in recent Jewish history there was for the teachers a definite reason for emphasizing God's unity by the title of 'King', because another ruler claimed His title of God. Caligula's claim to be god and his demand of actual worship at once occur to us, unless there exists an earlier Rabbinic or Palestinian-apocalyptic reference that definitely places the origin of the new use of the old title before Caligula. R. Akiba refers again to God as King in his reasons for the selection of the several Psalms sung by the Levites in the sacrificial service of the Temple on the several days of the week.[1] "On the first day they sang Psalm 24, 1, 'The earth is the Lord's, and the fulness thereof', because He had created and assigned it and was the Ruler in His Universe; on the second day they sang Psalm 48, 2, 'Great is the Lord, and highly to be praised', because He had then divided His works and was King over them;[2] on the sixth day they sang Psalm 93, 1, 'The Lord reigneth; He is clothed in majesty', because He had then finished His works and became King over them". Accordingly, God's Kingship over the Universe is as old as the Creation, and as everything that exists owes its origin to

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[1] Baraitha Rosh haShan. 31 a top: תניא רבי יהודה אומר משום רבי עקיבא בראשון מה היו אומרים לה׳ הארץ ומלאה על שם שקנה והקנה ושלט בעולמו, בשני מה היו אומרים גדול ה׳ ומהלל מאד על שם שחילק מעשיו ומלך עליהן . . . בששי מה היו אומרים ה׳ מלך גאות לבש על שם שגמר מעשיו ומלך עליהן, see Rabbinovicz, and Yalkut Makhiri, Psalm 24, 81 a. Cf. also ARN, I, 3 a.

[2] The Munich manuscript has: ונתעלה וישב במרום, so also Rashi; in the Erfurt manuscript and in the works quoted by Rabbinovicz: ומלך עליהם ונתעלה וישב במרום, cf. ARN on the sixth day.

Him, the Jews have on the New Year to recognize and to proclaim Him King over them in the first of the special prayers for that festival, and then turn to Him with their prayers.

On his death-bed R. Yoḥanan b. Zakkai, in contrasting the great, yet limited and transitory power of a mortal king over men's lives and his accessibility to bribe, with God's unlimited might, His eternal judgment and His incorruptibility as Judge, said, 'Now that they are about to take me[1] before the King of the kings of kings, the Holy One, blessed be He, who lives and endures for all eternities'. First, he terms God by the adjective the Holy One, with Is. 57, 15, 'For thus saith the High and Lofty One that inhabiteth eternity, whose name is Holy'.[2] R. Yoḥanan further said that, if he should be found by God to be a sinner and deserving severe punishment, His anger and the suffering inflicted by Him might be eternal and the death imposed might be everlasting, probably not to be terminated even by the resurrection. The contemplation of such a possibility shows that the great teacher, just as all others of the Rabbis, did not, as some scholars would have us believe, regard himself, in spite of his unceasing study and his strict observance of the Torah and with his many good deeds, a righteous man who could present to God a balance and a claim to a sure reward, but judged himself and his merits humbly, and admitted the possibility of being a grave sinner. Hence his fear of being possibly sentenced to eternal punishment or to a temporary stay in Gehinnom; of his impending account to be rendered before God he says nothing, but only of His inevitable judgment. On the other hand, 'Akabyah b. Mahalalel, probably an older contemporary of R. Yoḥanan b. Zakkai, said,[1] 'Before whom wilt thou have to give account and reckoning? before the King of the kings of kings, the Holy One, blessed be He'. In both statements the stress is laid not on the alleged terror of the reckoning, but upon the person of the Judge who sees the most secret action of man and whose attention nothing escapes: and that is why both scholars describe His power, and not the method of His judgment or punishment. Again, in an interpretation of Is. 14, 14 R. Yoḥanan said,[2] 'What answer did the heavenly Voice give the wicked man (Nebuchadnezzar), when he said, Is. 14, 14, "I will ascend above the heights of the clouds; I will be like the Most High?" The heavenly Voice came forth and said, "Thou wicked man, son of a wicked man, grandson of Nimrod the wicked, who made the whole world to rebel against Him in His Kingship". And this address concludes: God, the King, the living and enduring, exalted and high, enthroned on them (the חיות in heaven)'. It would appear that here too the self-deification of the Roman emperors from Caligula onwards suggested to R. Yoḥanan that rebuking interpretation, and that God's Kingship is here but the recognition of God by every man as the only Ruler of both the Universe and every human being; it is an emphatic contrast between the unwarranted arrogance in the mouth of the mortal Roman emperor crawling on earth, and the eternal God of the Universe in the endless heights of the heavens. In his prayer, analysed above (p. 24 ff.), R. Ṣadok said, 'On account of Thy love, O Lord our God, with which Thou hast loved Israel Thy people, and in Thy pity with which Thou, our King, hast pitied the sons of Thy covenant, Thou hast in love given us, O Lord our God, this great and holy Sabbath'. In the first and the last of the three sentences of the prayer God is addressed twice as Lord our God, and in the middle part as our King, and this position suggests that here also King is identical with ה'.[1] And, as pointed out before, the coupling of God as King with His compassion precludes the erroneous assumption that in the conception of the Rabbis God was a tyrant.[2] A very instructive and forcible parallel is Assumptio Mosis, 4, 2-4, an apocalypse composed in the days of R. Ṣadok's childhood. In reproducing freely the prayer of Daniel 9, 4–19 the author prays, 'Lord of all, King on the lofty throne, who rulest the world, . . . (4) regard and have compassion on them, O Lord of heaven'. Here too God is addressed as King, and as Master and Ruler of the Universe, and the prayer is for His compassion.[3]

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[1] Baraitha Berakh. 28 b: ועכשיו שמוליכים אותי לפני מלך מלכי המלכים הקב"ה שהוא חי וקיים לעולם ולעולמי עולמים.

[2] So also in Sirach 23, 9, 'Accustom not thy mouth to an oath; and be not accustomed to the naming of the Holy One; 4, 14, They that do her (wisdom) service shall minister to the Holy One; 47, 8, In every work of his he (David) gave thanks to the Holy One Most High with words of glory; 48, 20, And they called upon the Lord who is merciful, spreading forth their hands unto Him: and the Holy One heard them speedily out of heaven, and delivered them by the hand of Isaiah'. The designation is, then, not a creation of the Rabbinic schools, but already Is. 6, 3, cf. Lev. 19, 2, uses the adjective of God, and as His name Is. 40, 25, 'To whom then will ye liken Me, that I should be equal? saith the Holy One; Habak. 3, 3, God cometh from Teman, the Holy One from Mount Paran; Job 6, 10, For I have not denied the words of the Holy One'.

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[1] Abōth 3, 1: ולפני מי אתה עתיד ליתן דין וחשבון לפני מלך מלכי המלכים הקדוש ברוך הוא; cf. also Baraitha Berakh. 32 b ff. and see in Cant. r. 1, 12, 1 R. Eliezer, R. Akiba and their disciples.

[2] Baraitha Ḥagig. 13 a: שהמריד כל העולם כולו עליו במלכותו, then: מלך אל חי וקיים רם ונשא שוכן עליהם.

In Sirach the most instructive chapter about the various names of God in general, and about God as King in particular is 50. There the familiar group of verses beginning with v. 14, reads, 'And finishing the service at the altars, that he might adorn the offering of the Most High, the Almighty, (18) he (the high priest) stretched out his hand to the cup of libation, and poured of the blood of the grape; he poured out at the foot of the altar a sweet-smelling savour unto the Most High, the King of all. (16) Then shouted the sons of Aaron, they sounded the trumpets of beaten work, they made a great noise to be heard, for a remembrance before the Most High. (17) Then all the people together hasted, and fell down upon the earth on their faces to worship their Lord, the Almighty, God Most High. (18) The singers also praised Him with their voices; in the whole House was there made sweet melody. (19) And the people besought the Lord Most High, in prayer before Him that is merciful, till the adornment of the Lord should be ended; and so they accomplished His service. (20) Then he went down, and lifted up his hands over the whole congregation of the children of Israel, to give blessing unto the Lord with his lips, and to glory in His name. (21) And he bowed himself down in worship the second time, to declare the blessing from the Most High.' The detailed account of the wine libation clearly indicates the high importance of the offering itself; and the solemnity given to it within the daily sacrifices of the morning and the evening and within the additional offerings on the Sabbath and the festivals suggests a special meaning of it. The moment when the wine was poured out, was according to Sirach's description the climax of the whole sacrificial service, as it was accompanied by the blowing of the trumpets by the priests, by the prostration and prayer of the congregation and by the singing of the Levites. At the sacrifice of king Hezekiah in 2 Chron. 29, 20–30, the levitical song, the sounding of the trumpets and the prostration of the assembly took place at the moment when the fat parts of the various sacrifices were put one after the other upon the altar, and continued to the end till the fat parts were offered up, and after that the king and the princes prostrated themselves. The libation is not mentioned at all;[1] consequently, the position of the libation seems to have been changed between the dates of Chronicles and Sirach. If the Greek is an exact rendering of the original term, the object of the libation in v. 14 was לְפָּאֵר, 'to adorn the preceding offering of the Most High, the Almighty,' and the two names of God show how important in Sirach's view that sacrifice was. The libation itself is 'a sweet smelling savour to the Most High, the King of all', and the last description of God suggests that the libation expressed the homage of the whole nation to the Ruler of the Universe.

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[1] Cf. also the Baraitha in Cant. r. 3, end: ועל ידי שבקשו להרבות כבודן ולמעט כבוד המקום כבודן נתמעט ומלכות שמים במקומה, in Tos. Yoma 2, 8 and Yer. III, 41 a, 66: ולמעט כבוד שמים . . . וכבוד שמים נתרבה, b. 38 b does not mention that part. Cf. also Cant. r. 1, 2, 1: תני משום רבי נתן הקב״ה בכבוד גדולתו אמרה.

[2] In the sixth of the Eighteen Blessings of the Daily Prayer we find: סלח לנו אבינו כי חטאנו מחל לנו מלכנו כי פשענו; Bousset, Religion, 431. In Sirach, 23, 1, 'O Lord, Father and Master of my life; 23, 4, O Lord, Father and God of my life; 36, 1, Have mercy upon us, Master, God of all', δεσπότης means God; Bousset, 431, 4.

[3] In Josephus, Antiquit. 14, 2, 1, 24, Onias opened his prayer with the address, O God, King of the Universe; in Baraitha Ta'an. 23 a, when praying in a drought for rain, Onias began, Master of the Universe, . . . I swear by Thy great Name that I shall not move hence until Thou shalt have had mercy on Thy children; and similarly in the second prayer. Also Nakdimon b. Goryon in Baraitha Ta'an. 20 a began his devout prayer, Master of the Universe, show that Thou hast men beloved by Thee in Thy world!

What was the occasion for, and the meaning of, the prostration 'to worship their Lord the Almighty, God Most High'? The four names of God were chosen, no doubt, to suit the solemn act which was accordingly performed in honour of God, the almighty Ruler of the Universe. While prostrating himself before Him, every Israelite should be conscious of the greatness of his Master; and, while lying prone on the ground with his face touching the earth or the pavement of the forecourt of the Temple, in his mortal weakness he should humble himself before the Almighty. At the moment of the libation God is present in the Sanctuary, and the trumpets of the priests[2] and the song of the Levites greet Him and the people pray to Him, all combining to receive the Master of the Universe and to pay Him homage. This is clearly suggested by the prostration of the subject before the conqueror in Is. 49, 23, 'They shall bow down to thee with their face to the earth, and lick the dust of thy feet', and in the case of God in Psalm 22, 28, 'All the kindreds of the nations shall worship before Thee. (29) For the kingdom is the Lord's, and He is the Ruler over the nations'. In comparing Sirach's description of the libation with the corresponding procedure in the Temple service during the last decade of its existence,[1] we find, 'When the high priest officiates and receives the wine for the libation, the head of the priests is standing by the horn of the altar with a flag in his hand, while two priests with two silver trumpets are standing at the table of the fat parts of the sacrifices; the priests blow three blasts and then go and stand by the side of ben-Arza, one on his right, the other on his left. When the high priest bends down to pour out the wine, the head of the priests waves the flag, ben-Arza beats together the cymbals and the Levites sing; when they reach a pause, the priests blow with the trumpets and the people prostrate themselves: at every pause they blow, and at every blowing there is a prostration'. As in Sukkah 5, 5, so here in connexion with the morning sacrifice nine blasts are prescribed, divided into three groups of three blasts, forming a unit. As three were blown, when the priest received the wine, and another three at the final pause in the singing of the Levites, that is, at the conclusion, there were only three blasts left for the first pause in the singing of the Psalm, and there could, accordingly, only have been one stop in the course of the song and another at the conclusion. Consequently, there were altogether three prostrations of the people, one of which immediately preceded the libation. In Sirach's description there is only one prostration, and the people remained in that attitude in prayer to the end of the service; the people rose to receive the priestly blessing, which in Tamid 7, 2 was given in the middle of the sacrificial service,[2] and when the high priest pronounced the name of God, the people prostrated themselves

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[1] It is never referred to in the book in connexion with the public sacrifices, and here only at the people's burnt-offerings in v. 35, cf. 1 Chron. 29, 21.

[2] Cf. 1 Sam. 4, 5. 6; Num. 23, 21; Psalm, 98, 6.

[1] Tamid, 7, 3: נתנו לו יין לנסך הסגן עומד על הקרן והסודרים בידו ושני כהנים עומדים על שולחן החלבים ושתי חצוצרות של כסף בידם, תקעו והריעו ותקעו, באו ועמדו אצל בן ארזא אחד מימינו ואחד משמאלו, שחה לנסך והניף הסגן בסודרין והקיש בן ארזא בצלצל ודברו הלוים בשיר, הגיעו לפרק תקעו והשתחוו העם, על כל פרק תקיעה ועל כל תקיעה השתחויה.

[2] See my notes in ZATW, 19, 1899, 333–43; 20, 1900, 108 ff.

the second time.[1] This prostration had, no doubt, a definite meaning; as not the Name of God, but God Himself was to be worshipped, the mention of His Name followed by the prostration seems to have signified Him as the Almighty, the Ruler of the Universe in whose hand rests the fate of man, his blessing or failure. R. Tarfon, a priest who survived the destruction of the Temple, states,[2] 'When once I went up (to the place where the priests blessed the people) with Samson, my mother's brother, and when I inclined my ear towards the high priest, he drowned the Name of God in the song of the priests'. Again R. Tarfon said, 'Once when I heard the Name, I fell upon my face'; those who stood near, when they heard it, fell upon their faces and said, Blessed be the Name of the glory of His Kingship... When, on the Day of Atonement, the high priest at the end of the confessions of his, the priests' and the people's sins cited Lev. 16, 30 and pronounced the Name of God mentioned in the verse, all present, on hearing it, prostrated themselves and said, 'Blessed be the Name of the glory of His Kingship'.[1] The two reports make it clear that the response which after בורך begins with the word 'Name' merely intended to render the Name more explicitly by a circumscription known from the Psalms. While in Psalm 113, 2: יהי שם ה׳ מברך מעתה ועד עולם, 'the Name of the Lord be blessed', no explanatory noun is added, and similarly in 145, 1: ואברכה שמך לעולם ועד, in 145, 21: ויברך כל בשר שם קדשו לעולם ועד the word קדש, and in 72, 19: וברוך שם כבודו לעולם the word כבוד is added to the name, as also in Neh. 9, 5: קומו ברכו את ה׳ אלהיכם מן העולם ועד העולם ויברכו שם כבודך ומרומם על כל ברכה ותהלה, meaning His glorious Name. Now, the glory of God is defined by the word מלכות in Psalm 145, 11: כבוד מלכותך יאמרו, 12: וכבוד הדר מלכותו, and as in v. 1 ארוממך אלהי המלך indicates, it was the intention of the author to praise God as the King of the Universe, as he again referred to the subject in the verse quoted and in v. 13: מלכותך מלכות כל עולמים וממשלתך בכל דור ודר. And the same was the idea of the response to the Name of God, to proclaim Him the Ruler of the world and of all beings, and to submit in humility to His Kingship and unconditionally to His will, for ה׳ means God the King.[2]

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[1] The words 'the second time' in v. 21 presuppose a prostration the first time, v. 17, and must have there referred to the people and not to the high priest; and as the congregation fell down to pray, or to thank God, for His blessing, 'to declare the blessing from the Most High' gives no sense. Smend, Die Weisheit des Jesus Sirach, 489, prefers the reading ἐπιδέξασθαι found in several texts and assumes לשאת as the original, Psalm 24, 5. Might not rather להורות have been misread as להודות? The high priest seems to have blessed the people by himself, as in Lev. 9, 22, and to have glorified in pronouncing God's Name. The assertion in Oesterley, Ecclesiasticus, 1912, 342, that the Day of Atonement was the only occasion when the high priest in blessing the people pronounced the holy Name, is unfounded, as Yoma 6, 2 refers to his confession of sin; the Name was pronounced by all priests every day, Kiddush. 71a and the next note; see Chwolson's Jubilee volume, 17-21; ZATW, 19, 1899, 340 ff.

[2] Kohel. r. 3, 11, 3: אמר רבי טרפון פעם אחת עליתי עם שמשון אחי אמא על הדוכן והטיתי אזני כלפי כהן גדול והבליעו בתוך נעימת הכהנים ואמר רבי טרפון פעם אחת שמעתי ונפלתי על פני, הקרובים שבשהם שומעים אותו נופלים על פניהם ואומרים ברוך שם כבוד מלכותו לעולם ועד. In Sifré zuta Num. 6, 27, 52 Horovitz: אמר רבי טרפון מעשה והייתי עומד עם אחי הכהנים בשורה והטיתי אזני כלפי כהן גדול ושמעתיו שאמרו בתוך נעימות אחיו הכהנים, Kiddush. 71 a; Yer. Yoma III. 40 d 64-70.

5. The expression 'he accepted upon him the yoke of the Kingship of God' used by R. Yoḥanan b. Zakkai (p. 38) is found neither in the Hebrew Bible, nor in Sirach, nor in any of the Palestinian-Jewish Apocrypha or Apocalypses. The verb קבל for undertaking a duty is used in Esth. 9, 23, 'And the Jews took upon them to do as they had begun, and as Mordecai had written unto them; (27) the Jews

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[1] Yoma 6, 2; cf. Sifré Deut. 32, 3, 306, 132 b; Mekhil. Exod. 13, 3, 19 b; my Types of Jewish Piety, 226.

[2] Whether Sirach, 50, 15 deliberately substituted 'the Most High, the King of all' for ה׳ in Num. 15, 7, because already he interpreted the Lord as King, is not evident. For he used that title of God only once again in 51, 1, 'I will give thanks unto Thee, O Lord, O King, and will praise Thee, God my Saviour'. The commentators point to Psalm 145, 1 as his model; but his first word rather suggests אודך ה׳ in 2 Sam. 22, 50; Psalm 18, 50; Is. 12, 1, and the nearest parallel appears to be Psalm 30, 13; 86, 12.

ordained, and took upon them, and upon their seed, and upon all such as joined themselves unto them, so as it should not fail, that they would keep these two days'. But here its meaning already appears to be figurative, as the object of the verb is an obligation, whereas, no doubt, its literal connotation was: to receive upon him some concrete thing, perhaps the yoke placed upon the neck of the subject by the conqueror, corresponding with Jer. 27, 8. 11. 12. In an early report[1] it is related that Yehudah b. Tabbai sentenced, and put to death, a false witness against whom an alibi had been proved, in order to oppose the view of the Sadducees that such a witness was only to be put to death, if the person falsely accused by him had already been executed. When his colleague Simeon b. Sheṭaḥ proved that his sentence was against the law,[2] Yehudah b. Tabbai took upon himself that in future he would not give a decision except in the presence of Simeon b. Sheṭaḥ.[3] This seems to be the earliest post-biblical parallel to the use of the verb in Esther. The same Yehudah b. Tabbai applied it again, when he warned the judge concerning the parties to a lawsuit,[4] 'But when they are departed from thy presence, regard them both as innocent, if they have accepted upon them the verdict'. Here again the object is not a concrete thing to be imposed. It expresses the same as the verb נטל in 2 Sam. 24, 12; Lam. 3, 28, to impose a burden,[5] which in the Hifʿil denotes to impose, and in the Hofʿal an obligation imposed.[6] But while there are in the Bible a number of active verbs expressing the placing of a burden, imposition and duty, as שית, נתן, שים followed by על, there is hardly one denoting the ready or forced acceptance of such. But in 2 Reg. 18, 14, 'And Ḥezekiah, king of Judah, sent to the king of Assyria, saying, . . . That which thou puttest on me will I bear', נשא expresses it in a very characteristic way. Sometimes the verb is left out altogether, and only the preposition על with the suffix of the person undertaking the obligation remains, Gen. 30, 28; Jud. 19, 20; 2 Sam. 18, 11; Ezra 10, 12, as of a vow and sacrifice in Psalm 56, 13; Prov. 7, 14. It continued in this form in the Rabbinic literature, especially in the vow and undertaking of a man to bring a sacrifice,[1] 'When is it a vow? When he says, Behold, (let there be) upon me a burnt offering! When is it a free gift? When he says, Behold, let this (animal) be a burnt-offering!'

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[1] Baraitha Makk. 5 b; Yer. Synh. VI, 23 b, 67-70; Tos. 6, 6.

[2] See the variants in the parallel accounts as to the nature of his error.

[3] מיד קבל עליו יהודה בן טבאי שאינו מורה הוראה אלא לפני שמעון בן שטח.

[4] Abōth, 1. 8: וכשנפטרים מלפניך יהיו בעיניך כזכאין כשקבלו עליהם את הדין. The verdict is passed, as it seems, by a single judge, not by three; the winning party naturally submits to it, the losing party might hesitate. This seems to point to the possibility of an appeal to a higher court of law, or to resistance to be broken by force.

[5] See Perles in JQR, 2, 1911, 115.

[6] Tos. Baba meṣ. 3, 19. 16; Mishnah 4, 4.

By his acceptance of God's Kingship, imposed by Him and readily received by every Israelite at Sinai, he became, in R. Yoḥanan b. Zakkai's view, God's servant, Lev. 25, 55, and the substitution of any other master by his voluntarily continuing as a slave in his service is equivalent to breaking off the yoke of the Kingship of God. R. Yoḥanan refers again to the Israelite as God's servant,[2] 'When once his disciples asked him why the Torah dealt more strictly with the thief than with the robber, he replied, The robber treats the servant with the same respect as the master, while the thief paid greater respect to the servant than to his master'. God is the Master, and every human being is His servant, not a slave, but a subject of God, the King; that is clearly proved by R. Yoḥanan's description of the relations of man to God by מלכות שמים or עול מלכות שמים, the rule, or the yoke of the rule, of God resting on every Israelite. Already at this stage a reference to some statements of his disciples may be of some use for clearing up the disputed point. 'R. Eleazar b. 'Arakh said, Be watchful in the study of the Torah, and know what answer to give to the unbeliever; know also before whom thou toilest, and who thy Employer is who will pay thee the reward of thy labour'.[1] The terms used here are not those applying to the slave and his master, but to the hired man who is periodically paid wages by the employer according to the work done; a slave receives no hire, is not paid for his labour, and his master is not an employer who pays him the equivalent of his labour. In using the same simile R. Tarfon says,[2] 'It is not thy duty to complete the work, but neither art thou free to desist from it; if thou hast studied much Torah, much reward will be given thee, and faithful is thy Employer to pay thee the reward of thy labour; and know that the grant of reward unto the righteous will be in the time to come'. The reference to the faithfulness of the employer to pay the hire is sufficient to exclude the master of a slave, though his promise to liberate a faithful slave would require a similar assurance. By his emphasis that no student of the Torah is free, בן חורין, to desist from his work, and by that term R. Tarfon did not refer to him as a bondman, but only defined the position of the Jew as a student of the Torah as not wholly that of a free hired man, since the duty of the study of the Torah once undertaken should not be shaken off, even if progress be slow. And the reference to the employer and to the hire of the labourer to be paid according to his work makes the labourer's freedom as to the intensity of his work perfectly clear. But R. Tarfon's terms in another statement are even more definite,[1] 'The day is short, and the work is great, and the labourers are sluggish, and the reward is much, and the master of the house is urgent'. Not only the wages awaiting the labourer define his character, but even more clearly the designation פועלים, which applies to hired men only, and בעל הבית who is the employer of hired free men.[2] And the few statements of Hillel[3] and his disciple R. Yoḥanan b. Zakkai[4] regarding reward and punishment for man's actions fully bear out that interpretation.

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[1] Kinnim, 1, 1: איזהו נדר האומר הרי עלי עולה, ואיזהו נדבה האומר הרי זו עולה, cf. R. Simeon b. Yoḥai in Baraitha Zebaḥ. 4 b; Megil. 8 a; Sifra Lev. 1, 4, 6 a, § 10; Menaḥ. 13, 1. 3. 4. 5. 6. 7. 8. 10; b. Menaḥ. 63 a.

[2] Tos. Baba kam. 7, 2; b. 79 b; Mekhil. Exod. 22, 6, 91 b; Bacher, Tannaiten, I, 29: אמר להן גזלן השוה כבוד עבד לכבוד קונו גנב חלק כבוד לעבד יותר על כבוד קונו כביכול עשה גנב את עין העליונה כאילו אינה רואה ואת האוזן כאילו אינה שומעת . . . Cf. R. Ishmael in Nedar. 32 b; Lev. r. 25, 6.

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[1] Aboth, 2, 14: ודע לפני מי אתה עמול ונאמן הוא בעל מלאכתך שישלם לך שכר פעולתך, in other texts ומי הוא בעל מלאכתך, see Taylor and Herford.

[2] Aboth, 2, 16: לא עליך המלאכה לגמור ולא אתה בן חורין להבטל ממנה אם למדת תורה הרבה נותנים לך שכר הרבה ונאמן הוא בעל מלאכתך שישלם לך שכר פעולתך ודע שמתן שכרם של צדיקים לעתיד לבא.

It is very probable that the designation of Israel and the Israelite as the servants of God in the Rabbinic literature goes back directly to second Isaiah who admittedly intended to describe his people as chosen and beloved by God, and not as His slave, as also Jer. 30, 10; 46, 27 and Ezek. 28, 25; 37, 25. The parallelism of God's servant and His chosen people in Is. 41, 8. 9; 43, 10; 44, 1 is sufficient to refute Marti's strange assumption that the favourite servant of God was meant.[5] And even in Lev. 25, 42, 'For they are My servants, whom I brought out of the land of Egypt;

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[1] Abōth, 2, 15; ARN, XXVII, 42 b; 2 ARN, XXXV, 42 b; Bacher, Tannaiten, I. 349: היום קצר והמלאכה מרובה והפועלים עצלים והשכר הרבה ובעל הבית דוחק.

[2] Baba meṣ. 6, 2; 7, 1; Tos. 7, 1. 3–8.

[3] Abōth, 2, 7; 1, 13.

[4] Baraitha Berakh. 28 b; Ḥagig. 14 b.

[5] The most characteristic declaration is Is. 56, 6, 'Also the aliens, that join themselves to the Lord, to minister unto Him, and to love the Name of the Lord, to be His servants, every one that keepeth the Sabbath from profaning it, and holdeth fast by My covenant'. The aliens prefer the Name of God, that is God Himself, to their own gods, and demonstrate that attachment and love by joining God and Israel; 'to minister unto Him' in parallelism with 'to love the Name of the Lord' means not actual ministration in the Temple, which would have been explicitly mentioned, but the worship of God by observing His distinctive laws, as the Sabbath and other commandments summed up in the covenant of God. Now, 'to love the name of the Lord' is followed by 'to be His servants' as its explanation, and it is illustrated by the keeping of the Sabbath and the covenant; it is clear that servant means the adherent of God, who till recently was an adherent and subject of his heathen gods.

they shall not be sold as bondmen', as also the translation indicates, there is a clear distinction between the servants of God, the Israelites, and Gentile slaves; and even when sold into slavery, the Israelite remains God's servant and should not be allowed to serve as a life-long slave. But the earliest Rabbinic comparison preserved of Jews with servants,[1] 'Antigonos of Sokho said, Be not like servants who minister to their master upon the condition of receiving maintenance; but be like servants who minister to their master without the condition of receiving maintenance', appears to have thought of the Jews as God's slaves and to have applied to those whom it addressed terms of slaves. It seems, however, more probable that Antigonos warned his audience not to sink to the level of slaves who are not actuated in their work by any attachment to their master, but only by the food awaiting them after their labour has been completed; they should be servants—for slaves of that character are not to be found—who work for their master without selfish motives, urged on, as Antigonos adds, by the fear of Heaven, 'and let the fear of Heaven be upon you'. He seems to have learned this from Mal. 1, 6, 'A son honoureth his father, and a servant his master; if then I be a father, where is My honour? and if I be a master, where is My fear?' That prophet uses fear again in 2, 5, 'My covenant was with him (Levi) of life and peace, and I gave them to him, and of fear, and he feared Me, and was afraid of My Name'; and in 3, 5, 'And I will be a swift witness against the sorcerers, and against the adulterers, and against false swearers; and against those that oppress the hireling in his wages, the widow, and the fatherless, and that turn aside the stranger from his right and fear not Me, saith the Lord of hosts'. Fear means to respect God and His will even in private; and in the case of the servant it denotes full obedience and respect which do not necessarily point to slaves in the ordinary sense, but to the servants of God, as in Psalm 134, 1; 135, 1. 14, or as Moses, the servant of the Lord, Num. 12, 7; Deut. 34, 5.

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[1] Aboth, 1, 3: אל תהיו כעבדים המשמשים את הרב על מנת לקבל פרם אלא היו כעבדים המשמשים את הרב שלא על מנת לקבל פרם. Cf. Ta'an. 25 b: When on a public fast, proclaimed in a drought by Samuel the small, rain fell before sunrise, the people ascribed the speedy fulfilment of their prayers by God to the merit of the congregation; but Samuel said, Let me give you a parable: This is similar to the case of the slave who asks his master for his food, פרם, and the master tells his household, Give it to him that I may not hear his voice. On another occasion, when on the public fast rain fell after sunset and the people attributed it to the merit of the congregation, Samuel's parable was: This is similar to the case of the slave who asks his master for his food, פרם, and the master tells his household, Keep him waiting until he turns submissive and feels pain, then give it to him. Were these illustrations suggested to him by the view that the Jews were God's slaves? Or were they merely taken from common observations without actually reflecting Israel's relations to God? Cf. Baraitha Berakh. 34 b bottom: כעבד לפני המלך, and R. Eliezer b. Jacob in Baraitha Kethub. 18 a.

At the same time the Jew was fully conscious that he owed obedience to his God and His commandments.[1] In an anonymous statement, either by R. Simeon b. Yoḥai or the school of R. Ishmael, we find, 'Why does God refer at every commandment to the coming out of Egypt?[2] When He redeemed the descendants of His friend Abraham (from Egypt), He redeemed them not to be His children, but to be His servants, so that, when He would decree laws and they would not receive them upon them, He would be able to tell them, You are My servants. When they had gone into the desert, God began to decree for them some light and some important commandments, as the Sabbath, prohibited marriages, the fringes and the Tefillin, and when the Israelites began to tear at the traces,[1] God said to them, Ye are My servants, I redeemed you with a view to My decreeing laws and your keeping them'. The Israelites were no longer the slaves of Pharaoh and the Egyptians, but they were the servants of God whose Kingship they had willingly accepted and to whom they had vowed allegiance. Just as the subjects of an ordinary king are termed עבדים in 1 Sam. 8, 17, but are neither his slaves nor even his servants, so the Israelites are the subjects of God who is described by the prophets, in many Psalms and in passages, like 1 Sam. 12, 12; 8, 7, as King of Israel.[2] So עבד and King are correlative terms, and the subject's obedience to any order of God is his submission to the King and Master's rule. An instructive illustration of the demands of God upon His subjects is given by R. Eleazar b. 'Azaryah who defined the binding force of some of the unintelligible and difficult commandments in the Torah on the same principle as R. Yoḥanan b. Zakkai had explained the source of the levitical defilement by the human corpse and the purifying effect of the ashes of the Red Heifer, namely as God's decrees. 'R. Eleazar b. 'Azaryah said,[1] Whence do we derive that one should not say, I do not desire to put on a garment of mingled stuffs, I do not desire to eat swine's flesh, I do not desire to have sexual intercourse with women prohibited, but that one should rather say, I desire to do so, but what can I do, since my Father in heaven has decreed for me that (I should not do so)?[2] We derive it from Lev. 20, 26, "And I have separated you from the peoples, that ye should be Mine": if one says so, the result will be that one keeps away from the transgression and receives upon one the Kingship of God'. God is the King not only of the whole of Israel, but also of every individual Israelite, and in His capacity of King He commands the Israelite to observe even the three unintelligible prohibitions. In thus surrendering his desire and his will consciously and deliberately to the will of God expressed in His difficult ordinances, the Jew by his act of self-restraint from transgressing any one of them acknowledges for his own person the Kingship of God over him.

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[1] In Mekhil. Exod. 18, 3, 57 b bottom, R. Eleazar of Modim puts these words into the mouth of Moses as an explanation of 'in a strange land': Since the whole world serves idols, אני אעבוד לפני מי שאמר והיה העולם, 'I will serve Him who spoke and the Universe was'.

[2] Sifré Num. 15, 41, 115, 35 a bottom: למה מזכירים יציאת מצרים על כל מצוה ומצוה, . . . כך כשפדה הקב"ה את זרע אברהם אוהבו לא פדאם לשום בנים אלא לשום עבדים כשיגזור ולא יהיו מקבלים עליהם יאמר להם עבדי אתם, כיון שיצאו למדבר התחיל לגזור עליהם מקצת מצות קלות ומקצת חמורות כגון שבת ועריות ציצית ותפילין התחילו ישראל להיות מנתקים אמר להם עבדיי אתם על מנת כן פדיתי אתכם שאהיה גוזר ואתם מקיימים. The illustration by the case of the son of a friend, who was liberated from captivity by the king to be his slave, and when he objected to do the work of a slave, the king produced the deed to prove that he was his slave, no doubt, deals with a slave, but not necessarily also the application.

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[1] About נתק in connexion with prohibited sexual relations see Sifra Lev. 18, 2, 85 d bottom : רבי אומר גלוי היה לפני מי שאמר והיה העולם שסופן לינתק בעריות לכך בא עליהם בגזרה אני ה׳ אלהיכם דעו מי הגוזר עליכם, וכן מצינו שניתקו בעריות שנאמר וישמע משה את העם בוכה למשפחותיו, 'Rabbi said, It was foreseen by the Creator that Israel would once tear at the traces in matters of the prohibited sexual relations, that is why he gave the commandment in form of a decree, "I am the Lord your God", know who is He that decrees it for you'. Cf. Shabb. 130 b ; Yoma 75 a, and R. Simeon in Baraitha Yer. Ta'an. IV, 68 d, 17.

[2] Brüne, Flavius Josephus, 52, ventures the assertion that the Jews considered themselves the slaves of God, on Josephus, Antiquit. 11, 4, 4, 90, where, in elaborating Ezra 4, 3, Josephus says, 'To which Zerobabel and Joshua the high priest replied that they were the servants of God Almighty'; 11, 4, 6, 101, 'But may permit the servants of God, the Jews, and their rulers to build the Temple'; 8, 10, 3, 257, 'God said that He would not destroy them, but that He would, however, make them servants to the Egyptians, that they may learn whether they will suffer less by serving men or God'. This is the rendering of 2 Chron. 12, 8, 'Nevertheless they shall be his (Shishak's) servants; that they may know My service, and the service of the kingdoms of the countries'. Undoubtedly, Brüne's view is a characteristic instance of the methodical prejudice of a modern theological historian.

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[1] Sifra Lev. 20, 26, 93 d: רבי אלעזר בן עזריה אומר מנין שלא יאמר אדם אי איפשי ללבש שעטנז אי איפשי לאכול בשר חזיר אי איפשי לבא על הערוה, אבל איפשי מה אעשה ואבי שבשמים גזר עלי כך תלמוד לומר ואבדיל אתכם מן העמים להיות לי, נמצא פורש מן העבירה ומקבל עליו מלכות שמים. Maimonides in chapter 6 of his Introduction to Abōth quotes the statement as of R. Simeon b. Gamaliel, see Rosin, Ethik des Maimonides, 93, 4. In 94, 4 Rosin explains עריות here as marriages between near relatives prohibited, to be distinguished from the other connotation of the term גילוי עריות: immorality, adultery, unnatural mingling. In the Guide of the Perplexed, 3, 49, Maimonides states that the marriages prohibited in the Torah do not follow cogently from the moral sense present in all nations and all men.

[2] Bousset, Religion des Judentums, 149, mistranslates גזרה by Entscheid, and, what is more serious for an opinion as to the true import of the statement, he did not understand the subject-matter; see below.

The three commandments singled out by R. Eleazar b. 'Azaryah from among all the numerous prohibitions in the Torah were chosen deliberately as specially characteristic on account of a peculiar trait which they have in common with the difficult law of the purifying ashes of the Red Heifer. An early Baraitha states,[1] '"Ye shall do My judgments": this refers to those commandments in the Torah which, if they had not been written there, should rightly be written there, as the prohibitions of robbery, incest, idolatry, cursing God and bloodshed; "and ye shall keep My statutes": this refers to those commandments to which man's evil bent and the non-Jews raise objections, as the prohibitions to eat swine's flesh and to put on garments of mingled stuffs, and the positive commandments about the loosing of the shoe of the deceased husband's brother, Deut. 25, 9, the purification of the healed leper, and the scapegoat, that is why the verse continues, "I am the Lord", I the Lord have ordered them, and no one must raise objections to them'. In another Baraitha [2] the word גזרה in Lev. 16, 22 is interpreted thus, 'Perhaps thou wilt say that the sending away of the scapegoat is a foolish act, therefore the word גזרה tells us, I the Lord have decreed the laws, and thou art not permitted to criticize them'. The division of the commandments into such as are not only rational, but are even demanded by reason, and such as are not intelligible to the mind is a noteworthy fact considering the date of the statement. The second group is indicated by the word חקה, and the addition of the declaration 'I am the Lord,' to the law to emphasize it, is interpreted as pointing to God as the source of those commandments and as forbidding the Jew to criticize any injunction that emanated from Him. These two characteristics are also present in the law concerning the purifying effect of the ashes of the Red Heifer, as explained by R. Yoḥanan b. Zakkai.[1] As in the statement of R. Eleazar b. 'Azaryah, so here all criticism of God's will, expressed also in the unintelligible commandments, must be silenced,[2] and surrender to Him as our King must be the guiding principle. It was to be expected that those statements of R. Eleazar and of the anonymous Baraithas would suggest to superficial students the assertion that in the view of the Rabbis of the first century the God of the Jews who gave them the Torah, was an absolute tyrant and a strict King and Ruler, and that He imposed several unintelligible laws upon His helpless subjects, the Israelites. As though R. Eleazar had anticipated such a mistaken interpretation of his words and intentions, he called God to whom those unintelligible precepts were due and to whom the Jew has to surrender his will as a recognition of His rule over him, our Father in heaven, a designation unequivocal in its meaning and fully realized by the Jews of his days. It meant to R. Eleazar b. ʿAzaryah something different from a tyrant that imposes intolerable and unintelligible rules upon his helpless subjects, when after his list of such laws he deliberately referred to God by that description and by no other, e. g. King, who would have well corresponded with His Kingship mentioned at the end of his statement. As according to R. Ṣadok God gave the Sabbath to Israel on account of his love, so R. Eleazar saw in the Author even of those unintelligible precepts the loving Father of His children; and to surrender to the Kingship of our Father in heaven our will and desire by not transgressing His laws was to him obedience actuated by a higher and more comprehensive principle.

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[1] Sifra Lev. 18, 4, 86 a; Yoma 67 b: את משפטי תעשו, אלה הדברים הכתובים בתורה שאילו לא נכתבו בדין היה לכתבן כגון הגזלות והעריות ועבודת אלילים וקללת השם ושפיכות דמים שאילו לא נכתבו בדין היה לכתבן, [ואת חקותי תשמרו] אלו שיצר הרע משיב עליהם ואומות העולם משיבין עליהם כגון אכילת חזיר ולבישת כלאים וחליצת יבמה וטהרת המצורע ושעיר המשתלח שיצר הרע משיב עליהם ואומות העולם משיבין עליהן תלמוד לומר אני ה׳ חקותי [אני ה׳] חקקתים אין את רשאי להשיב עליהם.

[2] Yoma 67 b top: תניא . . . דבר אחר גזרה, שמא תאמר מעשה תהו הוא תלמוד לומר [גזרה] אני ה׳ גזרתים ואין לך רשות להרהר בהן.

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[1] Above, p. 17. Bacher, Tannaiten, I, 38 ff. points out that the version of the passages quoted in Yalkut includes in the second group of laws the Red Heifer. About the list of R. Levi in Pesikt. 38 b ff., which is based on the Baraitha : ארבעה דברים יצר הרע משיב עליהן ובכולן כתיב בהו חוקה ואלו הן אשת אחיו וכלאים ושעיר המשתלח ופרה . . ., see also Brüll, Jahrbücher, VIII, 1887, 129. This list has in common with the Baraitha in Sifra and Yoma 67 b the prohibitions of the garment of mingled stuffs and the scapegoat, while for חליצת יבמה R. Levi quotes the marriage of the husband's brother and the childless widow of his deceased brother, which is the reverse of the Baraitha's item. There the difficulty lay in the permissibility of such a marriage against the explicit prohibition in Lev. 18, 16 contradicting Deut. 25, 5 ; consequently, for חליצת יבמה we have to put יבמה only, and delete חליצת.

[2] Bousset, Religion, 149, 3 translates the list of the Baraitha in Sifra in full, and then adds to it : u. a., meaning : and others, which is a mistake, as his translation exhausts all the points enumerated. The Baraitha did not deal with the ceremonial law in general, but exclusively with the five enigmatic precepts, and those, naturally, must not be generalized. Consequently, they are no support for Bousset's contention 'that the observance of the ceremonial laws simply comes under the head of practising mere obedience, while the contents of the commandments are indifferent, and all depends on the form, the surrender'. That הרהר does not mean 'meditate over them', is evident from the statement itself and from the substitution of להשיב in the parallel Baraitha ; it signifies : to question in thought, criticize.

6. The Hebrew term of R. Eleazar for the Kingship of God is מלכות שמים, as in one version of the statement of R. Yoḥanan b. Zakkai עול שמים and in another עול מלכות שמים, contrasted with the rule of man or his yoke.[1] That contrast appears in a characteristic form in an early anonymous statement, very probaby belonging to Ḥaninah, the head of the priests,[2] '"The sons of my mother were incensed against me", Cant. 1, 6: this refers to the councillors in

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[1] Above, 37, 2.

[2] ARN, XX, 36 b; Bacher, Tannaiten, I. 52 ff.; Krauss in Magyar Zsidó Szemle, 21, 1904, 31, and in his Antoninus und Rabbi, 34: הוא היה אומר . . . בני אמי נחרו בי, אלו בולאות שביהודה שפרקו עולו של הקב"ה מעליהם והמליכו עליהם מלך בשר ודם. It is introduced by הוא היה אומר, 'the same used to say', and it refers back to the author of the preceding statement by R. Ḥaninah, the head of the priests. Aggad. Cant. 1, 6 has: אלו המלכים והנגידים של שקר.

Judaea who broke the yoke of God from off them and made a mortal king to rule over them'. If it were not for the reference to Judaea, R. Ḥaninah might have had in mind the demand of the elders of Israel for a king, which was so strongly opposed by Samuel the prophet, and the subsequent election of Saul, 1 Sam. 8, 4–9. But the explicit mention of Judaea and its representatives and the appointment of a king seem to refer to an event of his own time, most appropriately and very probably to Agrippa I or II. Of him Midr. Tannaim has the strange report,[1] 'It happened that Israel anointed Agrippa king over them; when later (in his public reading from the Torah, Deut. 31, 10. 11), he came to Deut. 17, 15, "Thou mayest not put a foreigner over thee, who is not thy brother", and his eyes flowed with tears (because he was only a half-Jew), the Jews said to him, Fear not Agrippa, thou art our brother! In that hour God's judgment was sealed concerning the exile of our fathers, because they had flattered him'. The attitude of some Jews who so strongly disapproved of the recognition of the half-Herodian scion as a full Jew in the sense of the relevant law, is voiced again in the parallel Baraithas,[2] 'R. Nathan said, In that hour the Jews incurred destruction, because they flattered Agrippa; R. Ḥaninah b. Gamaliel said, On account of that day many fell slain, because they flattered Agrippa'. R. Ḥaninah was a son of Gamaliel II, and as a descendant of Hillel a scion of the Babylonian branch of the royal Davidic family; so was also R. Nathan, who emigrated from Babylonia to Galilee after the Hadrianic religious persecutions and became a leading member of the school in Usha. But neither teacher gave in those statements his personal view of the incident, but merely handed down an old record of the feelings of some contemporaries of the memorable scene in the Temple, when the privilege of a Jewish king was conferred by the religious authorities of the time upon Agrippa as a sequel to his otherwise unrecorded anointment and public proclamation as a Jewish king.[1] The scanty information available concerning the political movements within the Jewish people in the last three decades before the destruction of Jerusalem in the year 70 does not enable us to establish the reasons why in the judgment of Ḥaninah, the head of the priests, Agrippa's election constituted a throwing off of God's yoke in favour of the king's rule.

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[1] Midr. Tannaim Deut. 17, 15, 104 anonymously: מעשה באגריפס שמשחוהו ישראל מלך עליהן וכיון שהגיע ללא תוכל לתת עליך איש נכרי זלגו עיניו דמעות . . . מאותה שעה נחתם גזר דין על אבותינו לגלות מפני שחינפו.

[2] Sotah, 41 b; Tos. 7, 16: תנא משמיה דרבי נתן באותה שעה נתחייבו שונאי ישראל כלייה שהחניפו לו לאגריפס, Yer. Sotah VII, 22 a, 38: תני רבי חנניה בן גמליאל אומר הרבה חללים נפלו באותו היום שהחניפו לו.

But another early Baraitha[2] has exactly the same statement regarding the administration of justice. 'Since judges increased in number who respected persons in judgment, the observance of the prohibition in Deut. 1, 17 b, "Ye shall not be afraid of the face of any man", ceased and the observance of "Ye shall not respect persons in judgment", stopped, and they broke off the yoke of God and put upon them the yoke of man.' The disregard of the authority of God in favour of that of man referred to here points most probably to actual conditions prevailing in Jerusalem in the last decades before the year 70, when, on account of some men of influence and of circumstances otherwise unknown, the administration of justice in the Jewish courts of law in the capital and in the towns of Judaea deteriorated.[3] Much personal consideration was shown to certain men of standing who were recognized by the judges as a decisive factor, and whose position and wishes were in consequence influencing the dispensation of justice. In following up a hint about flattery given by R. Simeon b. Ḥalaftha,[1] 'Since the fist of flattery became powerful, judgments were perverted and actions corrupted, and one could no longer say to his fellow-man, My actions are greater than thy actions', we are informed of another source of the corruption of justice. R. Simeon was an older contemporary of R. Yehudah I,[2] and it would seem obvious to refer his reproach to the conditions of his own time, against which other scholars of his days, R. Eleazar b. R. Simeon[3] and R. Yosé b. Elisha',[4] inveighed, and the flattery might be connected with the person of the patriarch R. Yehudah I. But the curious combination of the fist with flattery, and the unusual stress laid upon the corrupting influence of the otherwise rarely mentioned vice of flattery, following immediately after R. Nathan's censure of it in the case of king Agrippa, point to a deliberate allusion in אגרופה של חנופה to Agrippa,[5] and stamp the whole statement as a supplement to R. Nathan's disapprobation. If this interpretation is correct, the deterioration of justice in the courts began with Agrippa's accession, though nothing indicates here which of the two Agrippas was intended in this connexion. As both had the right to appoint high priests, and most probably also influenced the appointment of judges directly or indirectly, favouritism and greed prevailed, as in the nomination of the high priests which was determined by offers of large sums of money; integrity counted for nothing, wrong judgments perverted justice, injustice reduced the value of honesty and of right actions, and as no account was taken of them, they became rarer and dishonesty increased. Instead of recognizing God as their only Master to whom alone they were responsible for their judgment, and instead of accepting His yoke and the strictest justice demanded by Him, the judges considered the person and the authority of the king, and received upon them the yoke of a human being, the fear of man took the place of the fear of God.[1] If this interpretation of the two statements about the throwing off of God's yoke in favour of man's authority is correct, the term 'yoke of God' for His authority expressed in His laws was already used in the days of Ḥaninah, the head of the priests, and probably formed a part of the technical terminology of the schools in Jerusalem before his time.

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[1] The objection raised by a certain Simeon of Jerusalem against Agrippa I's admission into the Temple, Antiquit. 19, 7, 4, 332, was based, as the subsequent action of the king shows, on his visit to the theatre.

[2] Sotah 47 b; Tos. 14, 4: משרבו רואי פנים בדין בטל לא תגורו ופסק לא תכירו ופרקו עול שמים ונתנו עליהם עול בשר ודם, in Tos. והמליכו עליהם עול . . ; see S. Klein in מדעי היהדות, I, 75.

[3] See also Tos. Sotah 14, 3; b. 47 b: משרבו בעלי הנאה בטלה כבוד תורה ונתקלקל הדין, משרבו לוחשי לחישות בדין בא חרון אף לעולם ונסתלקה שכינה מישראל.

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[1] Baraitha Sotah 41 b: אמר רבי שמעון בן חלפתא מיום שגבר אגרופה של חנופה נתעוותו הדינין ונתקלקלו המעשים ואין אדם יכול לומר לחבירו מעשי גדולים ממעשיך.

[2] Lev. r. 18, 1; Kohel. r. 12, 5; Shabb. 152 a; Bacher, Tannaiten, II, 530 ff.

[3] Shabb. 139 a; Synh. 98 a.

[4] Shabb. 139 a.

[5] As already the commentary of pseudo-Rashi suggested: אגרופה, כחה של חנופה דאף על גב דאמו מישראל אין ראוי למלכות דעבד היה וזילא מילתא.

As Ḥaninah contrasted the yoke of God with the rule of a mortal king accepted by the councillors of Judaea, the yoke, exactly as מלכות, expressed the demands of God's Kingship upon every Israelite. In that sense it is used in the Bible, very definitely of Nebuchadnezzar's conquest of many nations in Jer. 28, 2. 4. 10. 11. 12. 13. 14, and in a specially characteristic application in v. 14, 'For thus saith the Lord of hosts, the God of Israel, I have put a yoke of iron upon the neck of all these nations, that they may serve him'; and in 27, 8, 'And it shall come to pass, that the nation and the kingdom which will not serve the same Nebuchadnezzar, king of Babylon, and that will not put their neck under the yoke of the king of Babylon, that nation will I visit, saith the Lord, with the sword, and with the famine, and with the pestilence, until I have consumed them by his hand'. In both instances the imposition of the yoke implies subjection to the rule of the conqueror, obedience and service. The fact that Jeremiah bears on his neck the bar of a yoke to indicate the impending subjection of Jerusalem and Judaea by Nebuchadnezzar, and that the breaking of the same bar by the prophet Ḥananyah intimates the liberation of all the nations from the rule of the Babylonian king, Jer. 28, 10–14, suggests that the ancient conquerors actually placed a yoke on the conquered as the symbol of their subjection.[1] This is supported by Lev. 26, 13, 'I am the Lord your God, who brought you forth out of the land of Egypt, that ye should not be their bondmen; and I have broken the bars of your yoke, and made you go upright', as especially the last sentence seems to corroborate. Also Is. 58, 6, 'Is not this the fast that I have chosen? To loose the fetters of wickedness, to undo the bands of the yoke, and to let the oppressed go free, and that ye break every yoke? (9) If thou take away from the midst of thee the yoke, the putting forth of the finger, and speaking wickedness', in spite of the mixture of metaphor and reality the juxtaposition of the yoke and its bands suggests that a real yoke imposed upon a brother was intended. And in Is. 47, 6, 'I was wroth with My people, I profaned Mine inheritance, and gave them into thy hand; thou didst show them no mercy; upon the aged hast thou very heavily laid thy yoke', the metaphorical sense appears improbable. Was it perhaps in Babylonia and elsewhere the practice to place the bar of a yoke upon the neck of the slave as a sign of his position, which should, at the same time, force him to walk with his head, shoulders and back bent? It is true that, while that could be applied literally to the individual, in the case of the exiles in Babylonia or the whole of Israel in Egypt it would appear more probable to be a metaphor. But a consideration of the fact that also the thousands of exiles consisted of individuals removes the improbability of the assumption that a bar was put upon every Israelite in Egypt and Babylonia. Again, in Is. 9, 3, 'For the yoke of his burden, and the staff of his shoulder, the rod of his oppressor, Thou hast broken as in the day of Midyan; (14, 25) Then shall his yoke depart from off them, and his burden depart from off their shoulder; (10, 24) Be not afraid of Asshur, though he smite thee with the rod, and lift up his staff against thee, after the manner of Egypt'. The yoke of the burden and the bar on the shoulder suggest a cross-bar placed on the neck and over the shoulders, on the ends of which two full buckets or other weighty loads would be carried by the slave; just as in Is. 14, 25 the yoke and the burden of the shoulder form a parallelism, while the rod of the taskmaster urged and drove the labourer mercilessly to speed his work, as in Exod. 5, 14. As every individual of the people in foreign subjection was treated in the same way, the description that Israel was under the bars of the yoke is in its literal sense correct. The liberation from the bondage of Egypt is, therefore, described in Psalm 81, 7, thus, 'I removed his shoulder from the burden; his hands were freed from the basket'.[1]

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[1] Cf. Psalm 82 and 2 Chron. 19, 6-11.

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[1] See Kohler in MGWJ, 37, 1893, 445.

The heavy yoke imposed by king Solomon upon the people is placed in a difficult parallelism in 1 Reg. 12, 4, 'Thy father made our yoke grievous; now therefore make thou the grievous service of thy father, and his heavy yoke which he put upon us, lighter, and we will serve thee. (11) And now whereas my father did burden you with a heavy yoke, I will add to your yoke. (14) My father made your yoke heavy, but I will add to your yoke.' The parallelism in v. 4 shows that the yoke is not a real one, but stands for labour, and the word 'grievous' once qualifies the yoke and another time labour; but it is difficult to explain how both nouns could have been used in the second half of the verse next to each other, unless there was some difference between them.[1] 'Add to your yoke' also seems to suggest that the yoke is a metaphor, as nothing could be added to it, except perhaps another bar to make it heavier, or the wood be replaced by iron, Jer. 28, 13. Jeremiah spoke of the yoke imposed once by God upon Israel, 2, 20, 'For of old time hast thou broken thy yoke and burst thy bands, and thou saidst, I will not serve (or work)'. It presupposes that originally Israel accepted the yoke, but soon tried to break it off, and as it was tied with thongs, Israel had in addition to burst those, as in 5, 5, 'I will get me unto the great men, and will speak unto them; for they know the way of the Lord, and the ordinance of their God. But these had altogether broken the yoke, and burst the bands.' In the first passage the yoke of God, like the covenant of God, means the recognition of the true God as the only God of Israel as opposed to the worship of other gods. In the second reference the contrast between the breaking of the yoke and the knowledge of God's way and His ordinance clearly shows that the yoke is either identical with God's way and ordinance, or includes them with other commandments of God. Now, the way of the Lord is explained in Gen. 18, 19, 'That they may keep the way of the Lord, to do righteousness and justice', and the prophet himself used the expression as identical with 'If there be any that doeth justly, that seeketh truth, and I will pardon her', 5, 1. The moral obligations towards the fellow-man constitute here the yoke of God; it appeared to the prophet neither oppressive nor even heavy, as he expected both the people and the nobles to bear it without any hesitation. Consistently with the political meaning of the yoke of God, in their rebellion against God and His anointed king the kings of the earth say, Psalm 2, 3, 'Let us break their bands asunder, and cast away their cords from us'; and shaking off the servitude of a mortal sovereign is thus expressed in Gen. 27, 40, 'Thou shalt break his yoke from off thy neck'. In this sense it is applied in 1 Macc. 8, 18, when Judas Maccabaeus sent ambassadors to Rome . . . 'to intreat them that they would take the yoke from them; for they saw that the kingdom of the Grecians did oppress Israel with servitude. (31) And as touching the evils that Demetrios doeth to the Jews, we have written unto him saying, Wherefore hast thou made thy yoke heavy upon our friends and confederates the Jews?' And when the Jews recovered their independence, 13, 41 states, 'The yoke of the heathen was taken away from Israel'.

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[1] So in Exod. 6, 7, 'Who brought you out from under the burdens of the Egyptians; (1, 11) Therefore they did set over them taskmasters to afflict them with their burdens; Gen. 49, 15, And he bowed his shoulder to bear, and became a servant under task-work'. Very instructive is Baruch 2, 21, 'Thus saith the Lord, Bow down your shoulders to serve the king of Babylon: so shall ye remain in the land that I gave unto your fathers'. This is taken from Jer. 27, 11, 'But the nation that shall bring their neck under the yoke of the king of Babylon, and serve him, that nation will I let remain in their own land'. But where did he find the statement, 'Bow down your shoulders', which is the correct explanation of bringing the neck into the yoke? Cf. LXX on Zeph. 3, 9.

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[1] Another verb for reducing to slavery is כבש = press down, in Jer. 34, 11. 16; Neḥ. 5, 5. In ARN, XXIII, 38 b ben-'Azzai says, 'He who learns Torah in his youth is like a heifer שכיבשוה כשהיא קטנה which was reduced to subjection (broken) when still young, Hos. 10, 11'.

Sirach's peculiar imagery of the yoke deserves some attention. So he says of the evil tongue in 28, 19, 'Happy is he that is sheltered from it, that hath not passed through the wrath thereof; that hath not drawn its yoke, and hath not been bound with its bands. (20) For the yoke thereof is a yoke of iron, and the bands thereof are bands of brass.' The evil tongue is a cruel tyrant like Nebuchadnezzar who imposed an iron yoke upon those whom he had carried into captivity, and added brass chains to it; so heavy is the yoke of the evil tongue, which those who use it have to carry. In 51, 23 he warns, 'Draw near unto me, ye unlearned, and lodge in the house of instruction. (24) Say, wherefore are ye lacking these things, and your souls are very thirsty? (25) I opened my mouth, and spake, Get her for yourselves without money. (26) Put your neck under the yoke, and let your soul receive instruction.' The invitation extended to the unlearned to come and join the school of wisdom without having to pay any fees is formulated in the interesting call to put the neck under the yoke; it may be that of the teacher and his authority or that of instruction and its discipline. The same metaphor is used in Matth. 11, 29, ‘Take my yoke upon you, and learn of me; for I am meek and lowly in heart: and ye shall find rest unto your souls. (30) For my yoke is easy, and my burden is light.’ Here the yoke represents the rules taught by the teacher's person who offers his subject of instruction to all who desire instruction. So Hillel excluded the passionate man from the teaching profession, Abōth 2, 5, and therefore it was an attraction for any adult who looked for a teacher that the one who invited him was meek and lowly, as Hillel was. The biblical elements in the parallelism of the last verse, yoke and burden on the neck of the disciple, are clear; they represent the matter of the teaching which, naturally, varied according to the purpose of the instruction and the personality of the teacher. Hillel's moral instruction, imparted in a popular form by his meek and attractive personality, would win many more disciples than Shammai's. As it seems, another aspect of the yoke of wisdom is described by Sirach in a rather difficult passage in 6, 24, ‘And bring thy feet into her fetters, and thy neck into her chain. (25) Put thy shoulder under her, and bear her, and be not grieved with her bonds. (29) And her fetters shall be to thee for a covering of strength, and her chains for a robe of glory. (30) For there is a golden ornament upon her, and her bonds are a riband of blue.’ The yoke is not mentioned, but the burden upon the shoulder and the neck in the chain seem to be parts of it. But the fetters on the feet and the bonds, probably on the hands, appear to point to another metaphor; unless a special way of harnessing the heifer to the plough or to the cart by chains passing from the neck round the front and the hind legs suggested to Sirach his not clear imagery.[1] As a parallel may be quoted 21, 19, ‘Instruction is (as) fetters on the feet of an unwise man, and as manacles on the right hand. (21) Instruction is to a prudent man as an ornament of gold, and as a bracelet upon his right arm'; but here nothing is said about a yoke, nor do the fetters and manacles point to such.[1]

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[1] Smend, p. 60, translates in v. 30 and in 30, 13; 51, 17 ‘upon her’ by ‘her yoke’, as a misread עֻלָּהּ according to the Hebrew text.

The yoke was, as a rule, heavy and, as mentioned before, bowed the neck of the ox down, as in Sirach 33, 25 = 30, 33, 'Set thy servant to work, and thou shalt find rest: leave his hands idle, and he will seek liberty. (26) Yoke and thong will bow the neck:[2] and for an evil servant there are racks and tortures. (7, 23) Hast thou children? correct them, and bow down their neck from their youth.[3] (30, 12) Bow down his (thy son's) neck in his youth, and beat him on the sides while he is a child.' The same metaphor, though not directly borrowed from the yoke, but from the burden imposed upon the neck and the back, occurs in Enoch 103, 12, 'And they that hated them and smote them have had dominion over them; and they have bowed their necks to those who hated them;[4] and they have had no compassion over them'; in Testament Naphtali 4, 2, 'And the Lord shall bring captivity upon you, and there shall ye serve your enemies, and ye shall be bowed down with every affliction and tribulation';[5] and in Jubil. 38, 10, 'And the sons of Jacob pressed hard upon the sons of Esau in the mountains of Seir, and bowed their necks so that they became servants of the sons of Jacob. (12) They placed the yoke of servitude upon them, so that they paid tribute to Jacob and his sons always. (14) And the sons of Edom have not got quit of the yoke of servitude which the twelve sons of Jacob had imposed upon them until this day.'[1] In the Rabbinic literature there are only few relevant statements of the Tannaitic and post-Tannaitic period to be found.[2] As an explanation of Lam. 5, 13, 'The young men have borne the mill', an unnamed teacher says,[3] 'You find that there were no millstones in Babylonia, and Nebuchadnezzar, when he came up (against Jerusalem and conquered it), loaded them (the captives) with millstones and took them down (to Babylonia)'. Another statement has,[4] 'Nebuchadnezzar, having looked at the captives, said to his servants, Why are those without any load? So they took at once loads and placed them on their shoulders, so that their stature was bowed down by the load.'[5] During the seven years of the coming of the Messiah[6] they will bring beams of iron and place them on his neck, so that his stature is bowed down. Correspondingly, the erect attitude of the body is an expression of freedom,[1] '"And I made you go upright", Lev. 26, 13, בקומה זקופה, with your stature erect; they were afraid of no man. So long as the Temple stood,[2] the necks of the Israelites were straightened among the nations, but when the Temple was destroyed, the necks of the Israelites were bowed down.'[3]

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[1] About Psalms of Solomon 7, 8, see my Types of Jewish Piety, 146 ff.

[2] In 1 Tim. 6, 1, 'Let as many servants as are under the yoke, *οἱ ὑπὸ ζυγὸν δοῦλοι*, count their masters worthy of all honour; Galat. 5, 1, Be not entangled with the yoke of bondage, *ζυγὸς δουλείας*'. It would appear that, as suggested concerning the Israelites in Egypt and in the Babylonian exile, slaves in the Greek-speaking districts here concerned were under the yoke of bondage, not merely figuratively. Jastrow, 614 a s.v. כדן, 'in Assyrian = servant', quotes Friedrich Delitzsch, Prolegom. 200, that the root means: to bend, to yoke, put to work. Cf. Barn. 2, 6: *ζυγὸς ἀνάγκης* of the Jewish laws.

[3] Syriac and, in following it, the Hebrew text, have here, 'and take for them wives in their youth'; perhaps Syriac interpreted וכף את צוארם מנעוריהם in the same way as Midr. Threni r. 3, 27 interpreted טוב לגבר כי ישא על בנעוריו in Threni 3, 1: עול תורה עול אשה עול מלאכה by the yoke of marriage, and as R. Yoḥanan in Kidd. 29 b said of the married man, Could he who has a millstone about his neck engage in the study of the Torah?

[4] 'To bow down the neck' for submission does not occur in the Bible, but may be post-biblical; see further.

[5] Cf. Psalm 107, 39: וישחו מעצר רעה ויגון.

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[1] In Testam. Issachar 5, 3, 'Bow down your back unto husbandry, and toil in labours', may be based, as Dr. Charles suggests, on Gen. 49, 15. In the Prayer of Manasses the writer says of his sins, 'I am bowed down with many iron bands, that I cannot lift up mine head by reason of my sins, neither take my breath, for I have provoked Thy wrath, and done evil before Thee'. Cf. Psalm 38, 5–7; Ezek. 33, 10.

[2] Cf. Psalm 57, 7: כפף נפשי, and כפופים in 145, 14; 146, 8.

[3] Midr. Threni rab. 5, 13.

[4] Pesikt. rab. 28, 135 a: עד שנכפפות קומתם מפני המשאוי; Baraitha 'Erub. 55 b ff: וכופפין את הקומה, cf. Sukk. 4, 5: וראשיהן כפופין, and Mekhil. R. Simeon Exod. 10, 23, 173: כופף קומתו ואינו יכול לפשטה פושטה ואינו יכול לכפפה. In a metaphorical sense כפף את היצר in Baraitha Baba meṣ. 32 b bottom; Mekhil. R. Simeon Exod. 23, 4, 155; Cant. r. 7, 8, and in the morning prayer in Berakh. 60 b: וכף את יצרנו להשתעבד לך; Yer. RH, III, 58 d, 30; cf. b. 26 b bottom.

[5] Of the treatment of slaves R. Aḥa, of the fourth century, says that Potiphar's wife threatened Joseph in many ways, 'I shall cut off thy maintenance, to which he replied with Psalm 146, 7, He giveth bread to the hungry; I shall put thee in fetters: The Lord looseth the prisoners; כופפת אני את קומתך, I shall bend down thy stature: The Lord raiseth up them that are bowed down; I shall blind thy eyes: The Lord openeth the eyes of the blind', Gen. rab. 87, 10.

[6] Pesikt. rab. 36, 162 a. Professor Krauss in הדביר, I, 1923, 107 ff.

7. The yoke imposed by God upon Israel made them His subjects. In describing the oppressive measures of the Roman administration in Judaea immediately after the destruction of Jerusalem in the year 70, and in contrasting the heavy Roman impositions paid by the Jews with their refusal in the recent past to pay the dues and to perform the obligations prescribed by God, R. Yoḥanan b. Zakkai remarked to his disciples,[4] 'Ye would not subject yourselves to God, therefore ye are made subject to Gentiles'. He illustrated his statement by the refusal of the Jews to pay the annual poll tax of half a shekel to God (to the Temple for defraying the cost of the public sacrifices) and to repair the roads and markets for the pilgrims. The rule of God, like that of the Roman emperor, imposes certain regular duties decreed by Him, which have to be fulfilled in obedience to His will, and the individual Jew should readily subject himself to God by carrying out those obligations. The term השתעבד and the noun שעבוד are, in the first instance, used of

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assumes that the Messiah is sentenced to death and carries his cross. But as there is no reference to his being put to death, the interpretation has no foundation; and why should the beam of iron be mentioned?

[1] Sifra Lev. 26, 13, 111 b; Cant. r. 1, 5 end.

[2] Cant. r. 4, 4, 6.

[3] Cf. R. Yoḥanan in Yer. Ḥagig. II, 77 c, 57: מה יו״ד כפוף כך יהיו כל באי העולם כפופין. Cf. ARN XXXV, 53 b.

[4] Mekhil. Exod. 19, 1, 61 b top: לא רציתם להשתעבד לשמים הרי אתם משועבדים לפני גוים, cf. Tos. Baba kam. 7, 6 of the Hebrew slave who voluntarily becomes a slave for life: לא רצה להשתעבד לקונו יבא וישתעבד לבניו, he would not subject himself to his Master, therefore let him be subject to His sons.

the political servitude of Judaea and the Jews under the Roman rule;[1] but, when applied to Israel's relation to God, they assume a different meaning, as has just been shown. In Apoc. Baruch 54, 5, 'And Thou revealest what is hidden to the pure, who in faith have submitted themselves to Thee and Thy law', the idea underlying the last sentence seems to be the same as in R. Yoḥanan b. Zakkai's להשתעבד לשמים, which he explained as obedience to God's injunctions; and it is very probable that the Hebrew word used or its equivalent was the same: ואחה תגלה הנסתרות לחסידים המשתעבדים באמונה לך ולתורתך.[2] In an anonymous interpretation of

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[1] The successive subjugations of Israel by the various kingdoms in biblical times are discussed in Sifré Num. 9, 1, 64, 17 a: חקף עליהם עול השיעבוד התחילו מונים לשיעבודם, Whenever the yoke of subjection was strong upon them, they began to count the years from their subjection. Note the addition of the yoke which means, as in 1 Reg. 12, the burdens imposed and the oppressive measures of the foreign administration in the country. In Mekhil. Exod. 12, 48, 18 a; Gerim 2, 4; cf. Mekhil. R. Simeon Exod. 12, 48, 29 ff.; Baraitha Yebam. 46 a: When Veluria became a proselyte and some of her bond-women immersed before her and the others after her, and the question of their religious status was submitted to the scholars, they said that those who had immersed before their mistress were free women, while those who had immersed after her משועבדות, remained slaves. So also in Gittin, 4,4: A slave that was taken captive and was ransomed by a Jew, if he was ransomed to be a slave, ישתעבד, he remains a slave, but if he was ransomed to be a free man, לא ישתעבד, he shall not remain a slave; R. Simeon b. Gamaliel said, In either case ישתעבד, he remains a slave. See also in Baraitha RH, 8 b R. Ishmael b. R. Yoḥanan b. Beroka, and Baba meṣ. 73 b. But in Sifré Deut. 1, 16, 16 R. Gamaliel II said to R. Yoḥanan b. Nuri and R. Eleazar b. Ḥisma (see Baraitha Horay. 10 a ff.; Bacher, Tannaiten, I, 368, 4), In the past you were your own masters, but henceforth הרי אחם עבדים ומשועבדים לצבור, ye will be servants and subjects of the community. As they had not been reduced to slavery, nor were made slaves of the public, but only undertook the duties connected with the office of ordained teachers, they were at the disposal of everybody; and so the contrast between free and enslaved is not to be taken literally, though the terms are those applying to free men and slaves. Cf. also Baraitha 'Abod. zar. 8 a bottom.

[2] In Apoc. Baruch 17, 4, 'Or wherein did Moses suffer less in that he lived only one hundred and twenty years, and, inasmuch as he was subject to Him who formed him, brought the law to the seed of Jacob, and lighted a lamp for the nation of Israel', the corresponding Rabbinic expression would probably be משועבד ליוצרו or, according to Deut. 33, 1,

Exod. 17, 11,[1] which according to the parallel in Mekhil. R. Simeon[2] belongs to R. Eliezer, that term is used differently. 'Did then the hands of Moses carry on the war (against Amalek) or break the war? No, but so long as the Israelites looked towards Heaven and subjected their hearts to their Father in heaven, they prevailed, but when not, they fell. Similarly in Num. 21, 8, Did the brazen serpent kill or keep alive? No, but so long as the Israelites looked towards Heaven, &c.' Here the unconditional surrender of the heart in trust to God, the Father in heaven, in distress like the dangerous attack of Amalek, committing and entrusting to Him in confidence their fate and excluding all doubt and hesitation, is termed: subject the heart to God. In this connexion R. Eliezer called God Father in heaven, to indicate that the trust was that of the child in his father, admitting in the heart no doubt to obscure the complete reliance upon Him. In the parallel account[3] it is

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עבד ליוצרו. In 46, 5, 'But only prepare ye your hearts, that ye may hear the law, and be subject to those who in fear are wise and understanding; and prepare your soul that ye may not depart from them', it appears to be improbable that, in spite of his attachment to the scholars, the author, as one of them, should have advised his followers והשתעבדו לחכמים ולמבינים ביראה, or עבדו; some different, less exacting word is demanded in that connexion. Cf. Sifré zuta Num. 10, 35, 193.

[1] Mishnah Rosh haShan. 3, 8: וכי ידיו של משה עושות מלחמה או שוברות מלחמה, אלא לומר לך כל זמן שהיו ישראל מסתכלים כלפי מעלה ומשעבדין את לבם לאביהם שבשמים היו מתגברין ואם לאו היו נופלין. כיוצא בדבר אתה אומר . . . וכי נחש ממית או נחש מחיה אלא בזמן שישראל מסתכלין כלפי מעלה ומשעבדין את לבם לאביהם שבשמים היו מתרפאים ואם לאו היו נימוקים. Instead of the more difficult משעבדים the Mishnah in the Palestinian Talmud and, consequently, the Cambridge Mishnah have מכוונים. But it is hardly doubtful that the more familiar and easy word is a later substitute for the original משעבדים. See Marmorstein in MGWJ, 70, 1926, 376 ff. and Goldfahn in MGWJ, 22, 1873, 197 ff.

[2] Exod. 17, 11, 82.

[3] Mekhil. Exod. 17, 11, 54 a: וכי ידיו של משה מגברות ישראל או ידיו שוברות עמלק, אלא כל זמן שמגביה ידו כלפי מעלה היו ישראל מסתכלין בו ומאמינין במי שפקד משה לעשות כן והקב"ה עשה להם נסים וגבורות . . . In Mekhil. R. Simeon Exod. 17, 11, 82: רבי אליעזר אומר . . . אלא בזמן שישראל עושין רצונו של מקום ומאמינים במה שפקד . . .

stated differently, 'So long as Moses lifted his hand towards Heaven, the Israelites looked at him and believed in Him who had ordered Moses to do so, and God did for them miracles and mighty deeds'. Here the place of the subjection of the heart to God is taken by belief and trust in Him, expressing the same thought.

In the statement of R. Yoḥanan b. Zakkai the word השתעבד does not describe Israel as a serf of God, but as a people owing obedience to God and to His will which is expressed in the Torah and in its authoritative interpretation. The position of Israel formed the subject of a dialogue between Tineius Rufus, the Roman governor of Judaea in the year 132 and probably for a few more years,[1] and R. Akiba.[2] The Roman asked the teacher, If your God really loves the poor, why does He not provide for them? R. Akiba replied, In order that we (by supporting them) may be saved from punishment in Hell. But, on the contrary, that will make you liable to Hell, as my parable will show you. This is like the case of the king who was angry with his servant, put him in prison and ordered that nobody must give him food or drink; when a man gave him food and drink, should the king, when he learns of it, not be angry with that man? and you, Israelites, are termed עבדים, as it says, Lev. 25, 55, 'For unto Me the children of Israel are servants'. R. Akiba said to him, This is like the case of the king who was angry with his son, put him in prison and ordered that nobody must give him food or drink; when a man gave him food and drink, will not the king, when he learns of it, send the man a present? and we are called the children of God, as it says, Deut. 14, 1, 'Ye are the children of the Lord your God'. The Roman then said, You are termed children, but also servants: when you fulfil the will of God you are called His children, but when, as now, you do not fulfil the will of God you are termed His servants, (and you should not support your poor who are God's servants). But R. Akiba retorted, It says, Is. 58, 7, 'Is it not to deal thy bread to the hungry, and that thou bring the poor that are cast out, to thy house?' When shouldst thou bring the poor into thy house? when they are made wretched (by you, the Romans, and we must support them even while we and they are your subjects and your servants).[1] The scholar only assumed for argument's sake the view of the Roman governor that, while disobeying God and suffering for it severe punishment in the form of the conquest and occupation of their land by the Romans, the Jews were God's slaves; but neither he nor any other Palestinian teacher ever held in reality that idea. Apart from Psalm of Solomon 17, 30, 'For he, the Messianic king, shall take knowledge of them, that they be all the sons of their God', and apart from the contemporary of the Psalm, Ḥoni, the circle-drawer,[2] who in his prayer for rain addressed God thus, 'Thy children have turned their faces to me', the third proselyte of Hillel knew it.[3] Before his acceptance of Judaism he had expressed the desire to become a high priest, but, by reading the Pentateuch he soon found out the impossibility of attaining to that position. He argued thus, As it is written concerning Israel who are called the children of God and whom He, on account of the love with which He loved them, termed 'Israel, My son, My firstborn', Exod. 4, 22, that 'The non-priest who draws nigh, shall be put to death', Num. 1, 51, how much more so concerning a proselyte. In interpreting Exod. 14, 15, R. Eliezer says, 'God said to Moses, My children are in distress, the sea blocks their way and the enemy pursues them, and thou prayest long'![1] R. Eleazar of Modim, says, 'God said to Moses, Wherefore criest thou unto Me? need I a command concerning My children, Is. 45, 11?'[2] Two Tannaitic statements by disciples of R. Akiba[3] on 'Ye are children of the Lord your God', Deut. 14, 1, express the same idea. R. Yehudah says, 'If ye conduct yourselves like children, ye are His children, but if not, ye are not His children; R. Meir says, In any case ye are the children of God'. R. Akiba himself says, Abōth 3, 14, 'Beloved are Israel, for they are called children of God'.[4] And Apoc. Ezra 6, 58, 'But we Thy people, whom Thou hast honoured and hast called the first-born, and only (begotten), near and beloved [most dear], lo! we are given up into their hands'.[5] To understand the real bearing of the remarks made by Tineius Rufus and of

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[1] Schürer, Geschichte, I, 647.

[2] Baba bath. 10a, probably reported by his disciple R. Meir; Bacher, Tannaiten, I, 287, 3.

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[1] Bacher, in following Rashi's and Samuel Edels' interpretation, refers the difficult word מרודים to the Roman soldiers or the Roman tax-collectors who rule over the Jews and, as though they needed support, collect contributions from the Jews. But it seems more appropriate and natural to the argument that Jews should have been intended who, through the Roman confiscations, impositions and fines, were deprived of all their property. Cf. Lev. r. 34, 13; 2 ARN, XIV, 17 b: ועניים מרודים, אלו בעלי בתים שירדו מכבודם ומנכסיהם . . . על ידי שלא פשטו ידיהם לעניים ועל ידי שלא עשו רצון אביהם שבשמים לכך נאמר ועניים מרודים. For Rashi's explanation could be adduced the statement of R. Eleazar b. Pedath in Baba bath. 9 a bottom: זכה הלא פרס לרעב לחמך, לא זכה ועניים מרודים תביא בית, see Rashi, and the experience of the nephews of R. Yoḥanan b. Zakkai in Baba bath. 10 a, or of R. Simeon b. Yoḥai in Lev. rab. 34, 12.

[2] Baraitha Ta'an. 23 a.

[3] Shabb. 31 a: ומה ישראל שנקראו בנים למקום ומתוך אהבה שאהבם קרא להם בני בכורי ישראל כתיב עליהן והזר הקרב יומת . . .

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[1] Mekhil. Exod. 14, 15, 29 a; the same in the interpretation of R. Yosé the Galilean, Mekhil. Exod. 14, 15, 30 a.

[2] Mekhil. Exod. 14, 15, 29 b ff.

[3] Sifré Deut. 14, 1, 96, 94 a; Midr. Tannaim Deut. 14, 1, 71. Also in Sifré Deut. 32, 5, 308; 32, 19, 320; Midr. Tann. Deut. 32, 5, 188; 32, 19, 196; Bacher, Tannaiten, II, 26 ff.

[4] In Baba meṣ. 83 b R. Joshua b. Karḥa speaks of the Jews of his time, in the middle of the second century, as the people of our God, and about the same time the prophet Elijah is reported to have used the same term in his reproach to R. Ishmael b. R. Yosé in Baba meṣ. 84 a top. Israel is called God's קנין, acquisition, in Sifré Deut. 32, 6, 309, 134 a; Mekhil. Exod. 15, 16, 43 b top; Abōth 6, 10. R. Yoḥanan in Pesaḥ. 87 a bottom; Num. r. 2, 15 says of Israel, 'God said to Hosea, Thou shouldst have said, בניך הם בני חנוניך הם בני אברהם יצחק ויעקב גלגל רחמיך עליהן, לא דיו שלא אמר כך אלא אמר לפניו רבונו של עולם כל העולם שלך הוא העבירם באומה אחרת'. Cf. Aggad. Cant. Schechter, p. 61, 473-81: כשאתם הולכין בדרכי אתם אוהבי ורעי, When you walk in My ways, you are My friends and My companions. Cf. the early Baraitha Semaḥ. XIV end; Berakh. 46 b; Midr. Tann. Deut. 26, 15, 177; Mekhil. Exod. 13, 11, 22 a.

[5] Box, The Ezra-Apocalypse 96, note i, only refers to Psalms of Solomon 18, 4 as a parallel. Cf. Apoc. Ezra 4, 23; Apoc. Baruch 5, 1.

R. Akiba's answers, a conversation of his disciple R. Meir with a high Roman official on the same subject will prove very instructive. 'A hegemon asked R. Meir,[1] Ye are a despised people, as already Haman said so of you. Why? I had a slave whom I put to great shame and removed from my house, and when I told him that I did not want him, he went away and acquired a new master for himself: so now that your Master drove you out and has exiled you [to live] among us with our actions (mode of life), will you learn (and follow) them or not? R. Meir retorted, I have a son whom I love greatly, but as, through eating and drinking, he has turned into evil ways, I drove him out and removed him from my house, and I fixed a date and said to him, If thou repentest, I shall take thee back any time. When, within the term of years fixed, he cried and wept, I told him to walk in the right way and repent: so are we the children of God who has driven us out [to live] among you, because in our pride we provoked Him and rebelled against Him, but, as He swore to us, only to the time of the Messianic end; but now that we repent, He will have mercy upon us and bring us back into our land, whereas, when we walk in evil ways, He does not bring us back into our land'. So the Roman governor and his officials regarded the Jews as the slaves of God,[2] while R. Akiba and R. Meir considered their people, even in its state of political subjection and oppression, to be the children of God. The Jewish religious attitude of obedience to God's yoke was, naturally, determined not by what the Romans thought of Israel's relation with God, but by what the teachers of the Jews and the people felt and thought themselves of their close and intimate sonship of God.

In the statements of Ḥaninah, the head of the priests, and of R. Simeon b. Ḥalaftha the deliberate refusal to acknowledge the authority of God and of His will is expressed by 'they broke the yoke of God from off them'.[1] As an illustration may already here be quoted the anonymous interpretation[2] of the declaration made by some Judaeans in the Babylonian exile to the prophet Ezekiel in Ezek. 20, 32, 'And that which cometh into your mind shall not be at all; in that ye say, We will be as the nations, as the families of the countries, to serve wood and stone. (33) As I live, saith the Lord God, surely with a mighty hand, and with an outstretched arm, and with fury poured out, will I be King over you.' 'They said to Ezekiel, Has not a slave whom his master sold gone out of his power? He replied, Yes. When they then said to him, Since God has sold us to the nations of the world, we have gone out of His power! But the prophet said to them, Has the slave whom his master sold with the view to his returning to him gone out of his power? "And that which cometh into your mind, &c.", אמלך עליכם, על כרחכם, I will be King over you, against your will.' In the parallel account[3] the statement begins, 'So you find, when they sought to break off the yoke in the days of Ezekiel'; and the interpretation of the verses shows that the expression meant the rejection of God and the substitution of the worship of idols, and to go out of God's power meant the repudiation of His Kingship over Israel His servant.[1] In the same way R. Simeon b. Yoḥai explains the character of the sons of Eli[2] in his interpretation of בני בליעל in 1 Sam. 2, 12: sons who broke the yoke of Heaven from off them, they said, There is no King in heaven. So again in an anonymous statement,[3] but evidently belonging to R. Simeon b. Yoḥai, בני בליעל in Deut. 13, 14 are men who broke the yoke of God from off their necks and went away from under the wings of God's presence. And in a third statement,[4] 'Beware that there be not a base thought in thy heart, saying', Deut. 15, 9, 'Take heed not to withhold mercy, for he who withholds mercy from his fellow-man is by the word בליעל declared to be an idolater and breaks from off him the yoke of Heaven'. From the use of that strong word in Deut. 13, 14 in connexion with idolatry it is deduced that wherever else the word occurs it stamps the sin concerned to be as grave as idolatry and as the rejection of God's rule and authority. As will be seen later on, the extension of the sin of breaking off the yoke of God first from idolatry to the neglect of certain important positive commandments, as here the duty to offer help by a loan to the fellow-man in difficulty, and then to the transgression of some weighty prohibitions of a social character, emanated from scholars of the middle of the second century in Galilee; so that the passages just quoted belong, at the latest, to that date and place, but may be considerably earlier.

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[1] Buber's ספרי דאגדתא על מגלת אסתר, 40a; Bacher, Tannaiten II, 35.

[2] So does, as already mentioned, p. 59, B. Brüne, Flavius Josephus, 52, actuated by the same spirit.

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[1] In Gen. rab. 98, 4; 99, 6, R. Eliezer, R. Joshua and R. Eleazar of Modim interpret the word פחז in Gen. 49, 4 in various ways by forming words beginning with the individual letters of the word in question, see Bacher, Tannaiten, I, 126, 4. So R. Joshua in 98, 4 says, פרקת עול חללת יצועי זע יצרך עליך, Thou hast broken off the yoke, hast profaned my couch, thy passion has overcome thee. In 99, 6 R. Eliezer says, השלכת עול מעל צוארך, which is, no doubt, a mistake, as at the beginning of every sentence a word is expected opening with one of the three letters of פחז. Tanḥ. ויחי 9 has instead: רבי יהושע אומר פחזת חסכת עול מצוארך זעת מן החטא, R. Joshua said, Thou wast hasty, thou hast witheld the yoke from thy neck. The incest of Ruben is described as breaking off, or casting off, the yoke, as is the contemptuous treatment of the sacrifice by the sons of Eli in Midr. Samuel, VI, 1 by R. Simeon b. Yoḥai.

[2] Sifré Num. 15, 41, 115, 35 a; cf. Sifré zuta Num. 15, 41, 108.

[3] Tanḥ. נצבים 3; B. 7; Midr. Yelamd. נצבים 9 in Grünhut ספר הלקוטים V, 159 a from Yalkut Makhiri Is. 52, 3, 194, cf. 2 ARN, XI, 14 b and b. Synh. 105 a: וכן אתה מוצא כשבקשו לפרוק עול (שבועתו) בימי יחזקאל. See also R. Ḥaninah b. Ḥama, of the first half of the third century, in Num. rab. 2, 16, on Hos. 1, 9 b; Ezek. 20, 32 ff.

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[1] R. Ḥaninah b. Ḥama, as stated above, develops the idea in Num. r. 2, 16 end on Hos. 1, 9 b, 'Though ye seek to separate from Me, שתבקשו להפריש ממני, I do not agree with you, but against your will ye will be My people; the same in Ezek. 20, 32'; Bacher, Palaest. Amoräer, I, 14. R. Ḥaninah's disciple R. Yoḥanan, in interpreting the Name of God in Exod. 3, 14 in Exod. rab. 3, 6, says that the individual may choose whether he accepts God or rejects Him, but God will not allow the multitude to do so, but will be King over them against their will, Ezek. 20, 32; Bacher, PA. I, 331.

[2] Baraitha in Midr. Samuel 2, 15, VI, 1. 32b: מה נאמר בסוף ובני עלי בני בליעל וגו׳ בנים שפרקו עול שמים מעליהם אמרו אין מלכות בשמים; see above, p. 41, 1.

[3] Sifré Deut. 13, 14, 93, 93a: בני בליעל, בני אדם שפרקו עולו של מקום, Baraitha Synh. 111 b: בני בליעל, בנים שפרקו עול שמים מצואריהם; Midr. Tann. Deut. 13, 14, 66: יצאו אנשים, וכי מנין יצאו אלא שיצאו מתחת כנפי שמים ופרקו עול שמים מעליהן שנאמר בליעל בלי עול; Mekhil. Deut. 13, 14 in Midr. Tann. 69; JQR, 16, 1904, 697 top, 699: וכי מנין יצאו אלא שיצאו מתחת כנפי השכינה ופרקו עול שמים מעליהם. Cf. the definition of the Babylonian teacher R. Naḥman b. Isaac in Shabb. 63 b top.

[4] Sifré Deut. 15, 9, 117, 98 b: פן יהיה דבר עם לבבך בליעל לאמר, הוי זהיר שלא תמנע רחמים שכל המונע רחמים מחבירו מקיש לעובדי עבודה זרה ופורק עול שמים מעליו שנאמר בליעל בלי עול, R. Joshua b. Karḥah in Kethub. 68 a.

The breaking off of the yoke is expressed differently by R. Joshua and R. Eliezer in their interpretations of 'Because of the striving of the children of Israel, and because they tried the Lord, saying, Is the Lord among us, or not?', Exod. 17, 7.[1] 'R. Joshua says, The Israelites said, If He is the Master over all created things as He is Master over us, we will serve Him, but if not, we will not serve Him. R. Eliezer says, The Israelites said, If He supplies our wants, we will serve Him, but if not, we will not serve Him; that is why it says, Because of the striving of the children of Israel, and because they tried the Lord, saying, Is the Lord among us, or not'. According to these scholars the suffering of thirst shook the belief of the people in God, and the Israelites were considering the breaking of His yoke from off them and to serve Him no longer, that is, to cease to recognize Him as their Master and King. The scholars introduced here the term 'serve Him', which is not used in the text of the Bible, because עבר expressed in their days the relation of the subject to his king, while the same in the negative declaration denoted an open refusal to accept the rule and mastery of him henceforth. In R. Eliezer's explanation the decisive reason introduced seems to be that of the acceptance by a Roman province or legion of a new emperor or commander: if he provides for it, it will recognize him as its master and submit to his rule and command. The selfish consideration was suggested by the text, as the Israelites were suffering thirst; but R. Eliezer's interpretation coincides with the view opposed by Antigonos of Sokhō[1], 'Be not like servants who minister to their master upon the condition of receiving food'. R. Joshua seems to have thought of an emperor or a commander recognized by only a part of the province or even of a town, and of this section making its allegiance conditional on the general acceptance of his rule; whether R. Joshua referred to an existing wrong view of the absence of power in God over the desert and over the supply of food and water, is not quite clear. The third opinion, probably of a later date, seems to interpret בקרבנו as 'into our hearts': if He can read our thoughts, we will accept Him as our King and God, but if not, we will rebel against Him.

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[1] Mekhil. Exod. 17, 8, 52 b: רבי יהושע אומר אמרו ישראל אם הוא רבון כל המעשים כשם שהוא רבון עלינו נעבדנו ואם לאו לא נעבדנו, רבי אליעזר אומר אמרו אם מספק לנו צרכנו נעבדנו ואם לאו לא נעבדנו, לכך נאמר על ריב בני ישראל ועל נסותם את ה׳ לאמר היש ה׳ בקרבנו אם אין. In Mekhil. R. Simeon Exod. 17, 7, 81: רבי יהושע אומר אם ישנו רבון כל העולמים ב״ה כדרך שהוא ישנו עלינו נדע ואם לאו לא נדע, רבי אלעזר המודעי אומר אמרו אם ספק צרכינו במדבר נעבדנו ואם לאו לא נעבדנו. In Pesik. 28a; Pesik. r. 13, 55a; Exod. r. 26, 2; Tanḥ. כי תצא 10; B. 15; יתרו 3; Bacher, Tannaiten, II, 253, 3, the authors are R. Yehudah and R. Neḥemiah, and the latter's statement is fuller: אם מספיק הוא לנו מזונותינו כמלך שהוא שרוי במדינה ואין המדינה חסרה כלום נעבדנו ואם לאו נמרוד בו ורבנן אמרין אמרו אם מסיחין אנו בלבבינו והוא יודע מה אנו מסיחין נעבדנו ואם לאו נמרוד בו. It is the idea expressed by the sinners in Mal. 3, 14, 'Ye have said, It is vain to serve God; and what profit is it that we have kept His charge, and that we have walked mournfully because of the Lord of hosts?' And in Job 21, 15, 'What is the Almighty, that we should serve Him? and what profit should we have, if we pray unto Him?'

At Mount Sinai God said to the Israelites, according to R. Simeon b. Yoḥai,[2] 'Now that ye have accepted My Kingship, accept My decrees'. An unnamed teacher, perhaps R. Simeon himself, expresses the acceptance of God's decrees thus,[3] 'It receives of Thy words', Deut. 34, 3, They accept upon them the yoke of Thy Torah, and so it says,

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[1] Abōth 1, 3.

[2] Mekhil. Exod. 20, 3, 67 a ff.; above, p. 38 ff.

[3] Sifré Deut. 33, 3, 344, 143 b: ישא מדברותיך, מקבלים עול תורתך עליהם וכן הוא אומר כל אשר דבר ה׳ נעשה ונשמע.

Exod. 24, 7, 'All that the Lord hath spoken will we do, and obey'. Here the obligation to observe the laws revealed by God and contained in the Torah is termed the yoke of the Torah, and the declared readiness of the people of Israel to undertake that obligation, to accept it upon themselves or to allow God to impose it upon them, is described as Israel's acceptance of the yoke of the Torah. It is also called עול מצות, the yoke of the commandments,[1] 'R. Joshua b. Korḥah says, Why does (in the prayer) the recital of Deut. 6, 4 ff. precede that of Deut. 11, 13 ff.? In order that we should first accept upon us the yoke of the Kingship of God and then the yoke of the commandments'. The scholar mentioned lived in the middle of the second century, but the duty of the Jew to accept upon him God's Lordship over him twice daily by the recital of Deut. 6, 4, 'Hear, O Israel: the Lord our God, the Lord is One', was practised by R. Gamaliel II and his fellow scholars[2] before the year 120. When in the evening of his marriage he recited the שמע and his disciples reminded him of the rule taught by himself and exempting the bridegroom from that obligation, he replied, I will not listen to you to keep away from me the Kingship of God even for one while.[3] His declaration shows that his consciousness of God's supreme Mastery over man never left him; and its renewal by his recital of that verse every morning and evening with the fullest possible concentration of his mind, and his complete and unconditional surrender to God's Lordship with a full realization of the acceptance of God's Kingship and its religious implications confirmed that consciousness in R. Gamaliel. He thought it definitely wrong to miss on any ground the prescribed renewal of that conscious affirmation, perhaps because it was apt to weaken amid the diverting occupations of the day, and because the firm possession of that consciousness was an essential duty of the Jew. He and his disciples had before this discussed in the school the rare occasions for exemption from the recital of the שמע, consequently, the custom of the regular recital of that verse was practised before that discussion and its object was clearly defined. As already the two schools, the Shammaiites and the Hillelites discussed the attitude in which the recital should be carried out,[1] its introduction must be earlier, no doubt, long before the destruction of the Temple.[2] When between the years 133 and 136 R. Akiba, as one of the numerous victims of the Hadrianic religious persecutions, was sentenced to death by Tineius Rufus, the Roman governor of Judaea, during his execution, while he was horribly tortured in Caesarea, it just happened to be the time for the recital of the שמע. While his flesh was being torn from his body with iron combs, R. Akiba accepted upon him the yoke of God's Kingship over him. When his disciples who witnessed his suffering expressed to him their astonishment at his recital amid his unspeakable pains, he said, Throughout all my life I waited anxiously for an occasion to fulfil the enactment, 'And thou shalt love the Lord thy God . . . with all thy soul', meaning, even if He take away thy soul: should I not fulfil it now that the occasion has come to me? And he drew out the word אחד, One, until his soul departed with that word.[3] The stress laid by him on אחד suggests that along with the acceptance of God's Kingship and His will His unity was emphasized as against the dualism of the Gnostics and the multiplicity of the heathen gods, to express the conviction that there is only One God, the God of Israel, the Creator of the Universe, who revealed Himself on Sinai to His people as the only

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[1] Berakh. 2, 2: אמר רבי יהושע בן קרחה למה קדמה שמע לוהיה אם שמוע כדי שיקבל עליו עול מלכות שמים תחלה ואחר כך יקבל עליו עול מצות.

[2] R. Tarfon in Berakh. I, 3; R. Ishmael and R. Eleazar b. 'Azaryah in Baraitha Berakh. 11 a; Yer. I, 3 b, 42; Tos. 1, 4; R. Akiba and R. Eleazar b. 'Azaryah in Tos. Berakh. 1, 2; the members of the school engaged in the intercalation of the year in Jamnia in Shabb. 11 a, and the sons of R. Gamaliel in Berakh. 1, 1.

[3] Berakh. 2, 5: לבטל ממני מלכות שמים אפילו שעה אחת

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[1] Berakh. 1, 3.

[2] Cf. Tamid 5, 1.

[3] Baraitha Berakh. 61 b; in the parallel account in Yer. Berakh. IX, 14 b, 59 R. Akiba laughed while he recited the שמע, and Tineius Rufus expressed his astonishment at the martyr's joy; see further, p. 151 ff.

King of the Universe, whose exclusive rule and mastery every Israelite has to recognize and whose will he has to accept. Other early references to the inclusion of the emphatic declaration of the unity of God in the recital of the שמע are anonymous, and, though as Baraithas they are not later than the year 200, they allow of no inference about their exact date. So the statement,[1] 'There is no other section in the Pentateuch but the שמע that contains the acceptance upon us of God's Kingship and the exclusion of idols'. As was shown,[2] the acceptance of God's Kingship is declared in the words 'the Lord (is) our God', as it is explicitly stated[3] concerning the first three words of the Decalogue by R. Simeon b. Yoḥai. Again in an anonymous statement,[4] Before Abraham our father came into the world, God, if we might say so, was the King over the heavens only, as it says, Gen. 24, 7, 'the Lord, the God of heaven'; but when our father Abraham came into the world, he made Him King, המליכו, over the heavens and the earth, as it says, Gen. 24, 3, 'And I will make thee swear by the Lord, the God of heaven and the God of the earth'. The unnamed teacher rendered 'God' by King.[5]

8. As to the yoke of the Torah or of the commandments, R. Yosé b. Ḥalaftha says on Gen. 27, 40,[6] 'Isaac said to Esau, Whenever thou seest that thy brother breaks from off his neck the yoke of the Torah, decree religious persecutions

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[1] Sifré Num. 15, 39, 115, 34 b: איזו היא פרשה שיש בה קיבול מלכות שמים ומיעט בה עבודה זרה אין אתה מוצא אלא פרשת שמע.

[2] Above, p. 39 ff.

[3] Mekhil. Exod. 20, 3, 67 a bottom; Sifra Lev. 18, 1. 2, 85 d by R. Simeon b. Yoḥai who interprets אנכי ה׳ אלהיך and אני ה׳ אלהיכם by אני הוא שקבלתם מלכותי בסיני, see above, pp. 38 ff.

[4] Sifré Deut. 32, 10, 313, 134 b.

[5] Cf. Berakh. 10 b: R. Eliezer b. Jacob says, Of him who eats and drinks in the morning first and recites his prayer afterwards, 1 Reg. 14, 9 is said, 'And Me thou hast cast behind thy back'; read not גוך, but גאך, God says, After he had behaved haughtily, he accepted upon him the Kingship of God.

[6] Gen. r. 67, 7; Bacher, Tannaiten, II, 164: ם ראית אחיך פורק עולו של תורה מעליו גוזר עליו שמדים ואתה שולט בו.

against him, and thou shalt rule over him'. The term, however, was applied before the middle of the second century, as Apoc. Baruch 41, 3 has in a passage considered above (p. 19), 'For lo! I see many of thy people who have withdrawn from Thy covenant, and cast from them the yoke of Thy law'.[1] Even earlier is the statement of R. Neḥunyah b. Hakanah[2] who flourished before the year 100,[3] 'From him who accepts upon him the yoke of the Torah, they remove the yoke of the imperial government and the yoke of a worldly occupation; but upon him who breaks from off him the yoke of the Torah, they put the yoke of the imperial government and the yoke of a worldly occupation'.[4] Though the terms used here in all the parts of the statement are the same as in the passages quoted before, the yoke of the Torah does not refer to the obligation of the observance of the laws, but, as the context suggests, to the duty to study the Torah. R. Neḥunyah addressed himself not to all Jews, but to those of them who hesitated whether they should divide their time between the study of the Torah and a secular occupation, or not. For the latter would provide a sustenance for them and their dependents and enable them to pay their taxes to the Roman administrators in Judaea, a double burden which during the years following immediately after the destruction of Jerusalem and Judaea weighed heavily upon the Jews.[5] He advised his colleagues and his disciples to devote themselves wholly to the study of the Torah, to take upon them the yoke, the obligation to consecrate their lives to it, as that would relieve them from all the impositions of the Roman administration.[1] If it could be proved that the Roman rule in Judaea in the last quarter of the first century exempted the scholars of the various branches of Jewish learning from all, or certain taxes and impositions,[2] the relevant statement of R. Neḥunyah could fully be appreciated. But as such consideration for Jewish religious sentiments could, without direct evidence, hardly be assumed,[1] it is more probable that, as Maimonides thought,[2] the congregations paid the taxes of the scholars who lived and taught in their midst.[3] In any case, R. Neḥunyah's statement shows that the term 'yoke of the Torah', when addressed to students of the Torah, denoted

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[1] Cf. Charles on the passage; Löwy in MGWJ, 47, 1903, 537 ff.; Schreiner in Jahrbuch für jüd. Gesch. u. Literatur, 2, 1899, 62; Güdemann in MGWJ, 47, 1903, 231 ff.

[2] Abōth, 3, 5; 2 ARN, XXXII, 34 b: רבי נחוניא בן הקנה אומר כל המקבל עליו עול תורה מעבירין ממנו עול מלכות ועול דרך ארץ וכל הפורק ממנו עול תורה נותנין עליו עול מלכות ועול דרך ארץ.

[3] Midr. Tannaim Deut. 26, 13, 175; Bacher, Tannaiten, I, 54.

[4] Cf. the different wording of the statement in Mekhil. R. Simeon Exod. 19, 18, 100: דבר אחר כל המקבל עליו דברי תורה שנמשלו באש פורקין ממנו עול מלכיות שנמשלו באש וכל הפורק ממנו עול תורה שנמשלו באש נותנין לו עול מלכות שנמשלו באש, וכן הוא אומר ונתתי את פני בהם, מהאש יצאו והאש תאכלם.

[5] See the complaint of Ḥananyah, the head of the priests, in ARN, XX, 36 a.

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[1] The yoke of the Roman taxes is referred to in a statement in 2 ARN, XXXI, 34 a, introduced by 'he used to say' and thereby assigned to R. Yoḥanan b. Zakkai: הוא היה אומר בעון שלשה דברים בעלי בתים נמסרים למלכות על שהם מלוים בריבית ועל שכובשים שטרים פרועים ועל שפוסקים צדקה ברבים ואינן נותנין ועל שפורקין עול מעליהם ונותנין העול והמס על העניים והאביונים האומללים, 'He used to say, On account of three sins are the landowners delivered unto the Roman administration: because they lend money for interest, withhold paid deeds, promise contributions to the charity in public and do not pay them, and because they break from off them the yoke and put the yoke and the tribute upon the poor and the wretched needy'. The heading announces a list of three items, but enumerates four, so that one of them, most probably the last, was added by a later hand. The parallel in Derekh ereṣ, ch. II has: בשביל ארבעה דברים ממון בעלי בתים נמסר למלכות (1) על משהי שטרות פרועים (2) ועל מלוי ברבית (3) ועל מי שיש בידו למחות ולא מיחה (4) ועל פוסקי צדקה ברבים ואינן נותנין. בשביל ארבעה דברים נכסי בעלי בתים יורדין לטמיון (5) על עושקי שכר שכיר (6) ועל כובשי שכר שכיר (7) ועל פורקי עול מעל צואריהם ונותנין על גבי חבריהן (8) וגסי הרוח כנגד כולן. Of these two lists containing four items each the author of 2 ARN selected nos. 2. 1. 4. 7, which reflected the conditions prevailing also in his own days; but as his fourth point was included in the second list from which he took over nothing else, it is clear that originally only the first list was used by him, and the item from the second list was added later. But it shows that the impositions of the Romans were described as the yoke of the imperial rule, as are the burdens imposed by king Solomon in 1 Reg. 12; see Büchler, Der galil. 'Am-ha'areṣ, 247.

[2] Tanḥ. חקת 21; B. 49: Just as the desert is neither sown nor cultivated, כך המקבל עליו דברי תורה פורקין ממנו עול מלכות ועול דרך ארין; וכשם שמדבר אין מעלה ארנונא כך בני תורה בני חורין בעולם הזה; Krakauer in MGWJ, 23, 1874, 61; Marmorstein in REJ, 64, 1912, 60. In Pesik. 200 a, it is stated: והם תכו לרגלך, אותם המכתתין רגליהם ויושבים ועוסקים בתורה אני פורק מהם עול מלכות, From those who strike their feet and sit down and engage in the study of the Torah, I break off the yoke of the government. In Tanḥ. ברכה B. 4 the statement is

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elaborated: אף חובב עמים, אמר משה לפני הקב"ה רבונו של עולם שני עולין אתה מטיל על בניך עול תורה ועול שעבוד מלכיות, אמר לו הקב"ה כל העוסק בתורה ניצול משעבוד מלכיות . . . תני רב יוסף אלו תלמידי חכמים שמכתתין רגליהם מעיר לעיר ללמוד תורה ופורקין מעליהם עול מלכות Moses said to God, Master of the Universe, Thou imposest two yokes upon Thy children, the yoke of the Torah and the yoke of the subjection of the ruling power! God replied to him, He who engages in the study of the Torah is delivered from the subjection of the ruling power. R. Joseph (the Babylonian teacher) cited the Baraitha: The words of the text, Deut. 33, 32 b, refer to the scholars who strike their feet in wandering from town to town in order to learn Torah, and break from off them the yoke of the ruling power. Similarly Tanḥ. ברכה 5; the Baraitha is taken from Baba bath. 8 a top. Cf. also R. Yehudah in Baraitha Berakh. 63 b.

[1] But see the edict of Antiochos the Great in Josephus, Antiquit. 12, 3, 3, 142.

[2] Commentary on Aboth 4, 5; בית תלמוד, 4, 1885, 231.

[3] But how can the freedom of the scholars from earning their sustenance be explained? Might it be assumed that poor scholars were supported and their families provided for by the communities? In dealing with R. Simeon b. Ṣemaḥ Duran's opposition to Maimuni on the prohibition of accepting remuneration for teaching, Friedmann in בית תלמוד, 4, 1885, 230 quotes the arguments of R. Simeon in favour of the alleged institution in the Palestinian communities in the Rabbinic period of maintaining from a special fund all the scholars that devoted all their time to the study of the Torah; and he explains the relief from the yoke of a secular occupation by the duty impressed by the Rabbis upon business-men to allow a scholar to participate in the profits of their trade. A contemporary of R. Neḥunyah, R. Ṣadok, warns, Abōth 4, 5, Make not of the Torah a crown wherewith to aggrandize thyself, nor a spade to dig with it; and so Hillel said, He who uses the crown passes away. The warning suggests that some teachers did use their learning as a means to earn their living. Note also the definition of the scholar: שבני עירו מצווין לעשות לו מלאכתו . ., He whose work the citizens of his town are bound to do for him, by R. Yoḥanan in Shabb. 114 a, and the anonymous statement of uncertain date in Mekhil. R. Simeon Exod. 19, 14, 98, 'A man should not say, As I am a scholar, men are in duty bound to minister to me, men are in duty bound to maintain me'.

the special obligation undertaken by such to make the study of the Torah their life-work; but, at the same time, also the general meaning of the expression, when addressed to every Jew as the duty accepted by him to observe the Torah, may have been familiar to the scholars.

As to the yoke of the commandments, an anonymous Baraitha,[1] in interpreting Lev. 11, 45, 'For I am the Lord that brought you up out of the land of Egypt, to be your God', states, 'I brought you up out of the land of Egypt with the view to your acceptance upon you of the yoke of the commandments; for he who acknowledges the yoke of the commandments acknowledges the coming forth out of Egypt, and he who denies the yoke of the commandments denies the coming forth out of Egypt'. As the yoke is connected with the commandments generally and these, as the context shows, refer to the whole legislation of the Torah as God's purpose of Israel's liberation from Egypt, the yoke, as in the case of the Torah, designates the obligation accepted by Israel to observe the injunctions.[2] But it is also applied to individual commandments in order to emphasize their great importance. So in the statement of special interest[3], 'From the words, "Nor give him thy victuals for increase, I am the Lord", the teachers deduced that he who accepts upon him the yoke of (the prohibition of) usury accepts upon him the yoke of Heaven (God), but he who breaks from off him the yoke (of the prohibition) of usury breaks from off him the yoke of Heaven (God)'.[4] Here we have a most instructive parallel to the interpretation discussed above

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[1] Sifra Lev. 11, 45, 57 b.

[2] The fuller wording in Pesik. rab. 21, 107 a is interesting: פיתחני עד שנתתה לי את התורה ונתתה על צוארי עול מצות ונענשתי בהם.

[3] Sifra Lev. 25, 37, 109 c: ובמרבית לא תתן אכלך אני ה׳, מכאן אמרו כל המקבל עליו עול רבית מקבל [עליו] עול שמים וכל הפורק ממנו עול רבית פורק ממנו עול שמים, cf. מדרש השכם in Grünhut ספר הלקוטים I, 17 a, no. 10; Enelow in Hebrew Union College Annual, 4, 1927, 342.

[4] In order that עול שמים should form the exact parallel of עול רבית, the usual עול מלכות שמים had to be avoided.

(p. 39 ff.) of 'אני ה, added to a commandment for emphasis, as מלכות שמים, the Kingship of God, as the exactly corresponding explanation of the same two words by 'the yoke of God' expresses the same surrender of the Israelite to the Kingship of the Almighty and his obedience to the will of God manifested in His commandments. Consequently, the acceptance of that obligation even in the case of one law of the Torah expresses the submission of the Jew to the will of his Master; while he who throws off the duty to obey His injunction even in one single instance clearly throws off the yoke imposed by God as the King of Israel at Sinai. On the same interpretation is based the Baraitha[1] on Lev. 25, 38, 'I am the Lord your God, who brought you forth out of the land of Egypt, to give you the land of Canaan, to be your God', 'From Lev. 25, 38 the teachers deduced that the Jew who lives in Palestine accepts upon him the yoke of the Kingship of God, while he who goes abroad is as though he worshipped idols, 1 Sam. 26, 19'. Here 'I am the Lord your God', or 'to be your God', is rendered by 'the yoke of the Kingship of God', combining the yoke with the Kingship and explaining the obedience to one special law of God as the acceptance of His Kingship and yoke.[2] A different formulation of the same idea is found in a similarly emphatic Baraitha on Lev. 19, 36, the injunction of honest measures and weights,[3] 'I am the Lord your God, who brought you out of the land of Egypt', I 'brought you out from the land of Egypt on the condition that you accept upon you the commandment of the measures; for he who acknowledges the commandment of the measures acknowledges the coming out of Egypt, and he who denies the commandment of the measures denies the coming out of Egypt'. In comparing the wording of the statement with that of the identical passage on the commandments[1] considered first, we find that in the latter instead of 'commandments' it says twice 'the yoke of the commandments'; for the acknowledgment and denial which mostly apply to God Himself, rightly refer not to the commandment itself, but to the obligation to observe it. The author of the first statement left out the yoke, probably because the commandment was explained by the next word, and three nouns looked or sounded to him awkward.

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[1] Sifra Lev. 25, 38, 109 c; Baraitha Kethub. 110 b bottom: אני ה' אלהיכם . . לתת לכם את ארץ כנען להיות לכם לאלהים, מיכן אמרו כל בן ישראל היושב בארץ ישראל מקבל עליו עול מלכות שמים וכל היוצא לחוצה לארץ כאילו עובד עבודה זרה.

[2] The unusual stress laid on the duty to live in Palestine very probably dates from the years following immediately after the Hadrianic religious persecutions which induced many Jews to emigrate from Palestine and to settle in Syria and elsewhere. The teachers tried their utmost to stem by such religious pressure the loss of the reduced population. See Büchler, Der galil. 'Am-ha'areṣ, 238.

[3] Sifra Lev. 19, 36, 91 b, § 10: אני ה' אלהיכם אשר הוצאתי אתכם מארץ מצרים, על תנאי כך הוצאתי אתכם מארץ מצרים על תנאי שתקבלו עליכם מצות מידות שכל המודה במצות מידות מודה ביציאת מצרים וכל הכופר במצות מידות כופר ביציאת מצרים. Cf. Sifré zuta Num. 15, 41, 108.

Of the acceptance of Judaism by the proselyte, R. Ḥiyyah, about the year 200, said, 'Trust not the proselyte for twenty-four generations, for he adheres to his leaven; but when he accepts upon him the yoke of God from love and from fear and becomes a proselyte in the honour of God, God does not turn him back'.[2] What he takes upon him are not the individual commandments, nor the sum total of the positive and negative precepts, but he acknowledges the true God as his King and undertakes the obligation to obey His orders, the Torah. In the anonymous Baraitha[3] the procedure at the admission of the proselyte is described, and it is stated that, if he is not deterred by the low and sad state of Jewry which is pointed out to him, and is ready to share its lot, מקבלין אותו מיד, he is accepted at once and is taught some light and some strict commandments, their punishments and their rewards; קיבל, if he accepts, he is circumcised and is made to immerse. The position of the verb קיבל and its absolute use would suggest that its direct object were the commandments, and not the general obligation to obey them.[1] The same seems to be the case in the Baraitha about the admission of the freed slave.[2] But in the third Baraitha[3] which explains Deut. 21, 13, the rules about the marriage of the Israelite with a Gentile prisoner of war, it is stated, 'And she shall bewail her father and her mother a full month, &c.', 'He need wait for her only if she has not accepted upon her, but if she has accepted upon her, he causes her to immerse, and then he may marry her at once. R. Simeon b. Eleazar says, Even if she has not accepted upon her, he may force her to immerse to be a bondwoman, and then causes her to immerse a second time to be a freed bondwoman, and then he frees her altogether and may marry her'. In this case no commandments are mentioned with that verb, so that the acceptance upon her does not refer to any precepts. In the parallel accounts[4] it is explicitly stated instead that she consented to become a proselyte. And it is certainly noteworthy that with reference to the second Baraitha about the admission of the freed slave and of the proselyte into Judaism the Talmud asks,[5] 'Do you mean to say that they are alike in the acceptance upon them of the yoke of the commandments?' and the author of the question still knew the true connotation of the verb. To this may be added the statement of R. Simeon b. Lakish, of the middle and the third quarter of the third century,[1] 'All the multitudes of Israel which stood at Mount Sinai, if they had not seen the thunders, the flames, the lightnings, the mountains shaking and the sound of the cornets, would not have accepted upon them the Kingship of God, while the proselyte who saw none of those comes and delivers himself up to God and accepts upon him the Kingship of God'. So it was even at that date still clear that the decisive step of the proselyte was the acceptance of the yoke, or of the Kingship, of God. But as in one Baraitha of the Sifra, considered before, in connexion with acknowledging and denying only the commandment was put, while the parallel Baraitha had the yoke of the commandments, so in a number of Baraithas about the proselyte's acceptance only the words of the Torah or its commandments are mentioned, where in reality the yoke of them would be accepted. So in the Baraithas[2] about the lower degree of the proselyte it is demanded for his admission that he must first deny his idols; the corresponding positive step of the full proselyte would then be the acceptance not of the commandments, but of the true God as his only Master. In several instances, as we have seen, the Baraithas deal with the second stage of the proselyte's admission, when, after his acceptance upon him of God's yoke, he is instructed in the laws of the Torah.[3]

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[1] Sifra Lev. 11, 45, 57 b: כי אני ה׳ המעלה אתכם מארץ מצרים, על כן העליתי אתכם מארץ מצרים על תנאי שתקבלו עליכם עול מצות שכל המודה בעול מצות מודה ביציאת מצרים וכל הכופר בעול מצות כופר ביציאת מצרים.

[2] Midr. zuta, ed. Buber, p. 48 bottom on Ruth, 1, 12; Yalkut, II, 601: אל תאמן בגר עד כ״ד דורות שהוא תופש שאורו אבל בשעה שהוא מקבל עליו עולו של מקום מאהבה ומיראה ומתגייר לשם שמים אין הקב״ה מחזירו.

[3] Yebam. 47 a. b.

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[1] But see Sifré Num. 10, 31, 80, 21 a, where Moses says to Ḥobab, Thy example should not prevent others from becoming proselytes, as they might say: אם יתרו חותנו של מלך לא קיבל עליו קל וחומר לשאר בני אדם.

[2] Yebam. 47 b bottom.

[3] Yebam. 47 b bottom: תניא ובכתה את אביה ואת אמה וגו׳, במה דברים אמורים שלא קיבלה עליה אבל קיבלה עליה מטבילה ומותר בה מיד, רבי שמעון בן אלעזר אומר אף על פי שלא קיבלה עליה כופה ומטבילה לשם שפחות וחוזר ומטבילה לשם שחרור ומשחררה ומותר בה מיד.

[4] Semaḥ. VII has רוצה להתגייר instead of קבלה, in Midr. Tann. Deut. 21, 13, 128: במה דברים אמורים שלא קיבלה עליה להתגייר אבל משקיבלה עליה מטבילה ומותר בה מיד.

[5] קסלקא דעתך לקבל עליו עול מצות.

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[1] Tanḥ. לך לך 6; B. 6; Yelamdénu לך לך 6 in Grünhut, ספר הלקוטים VI, 39 a.

[2] Yer. Yebam. VIII, 8 d, 33: אית תניי תני גר תושב אין מקבלין אותו עד שיקבל את כל המצות שכתוב בתורה, אית תניי תני גר תושב אין מקבלין אותו עד שיכפור בעבודה זרה שלו, Tos. Dammai 2, 4. 5; Mekhil. R. Simeon Exod. 12, 49, 30; Bekhor. 30 b; cf. Baraitha 'Abod. zar. 64 b: שקיבל עליו לקיים כל מצות.

[3] Here should be added the statement of R. Neḥemiah in Mekhil. Exod. 14, 31, 33 b: כל המקבל עליו מצוה אחת באמנה כדאי הוא שתשרה עליו רוח הקדש, He who receives upon him one commandment in faith is worthy that the holy spirit rest on him. While carrying out a commandment, he surrenders to God in faith and trust, which is only another way of submitting to the Lordship of God. In Sifra Lev. 10, 4, 45 d

The characterization of the Jew who for his transgression of certain weighty commandments is said to have broken from off him the yoke deserves special attention. A Baraitha[1] states, 'Just as he who transgresses all the commandments breaks off the yoke, breaks the covenant and is insolent to the Torah, so also he who transgresses a certain commandment, namely the prohibition of idolatry, breaks off the yoke, breaks the covenant and is insolent to the Torah'. A second Baraitha[2] has, 'To the list of those who will have no share in the world-to-come teachers (of an unnamed date) added him who breaks off the yoke, breaks the covenant and is insolent to the Torah'. A third statement, evidently a Baraitha, declares,[3] 'God punishes in this world him who breaks off the yoke, breaks the covenant and is insolent to the Torah, though he has in his hand good deeds, but the principal remains for him for the world-to-come'. A fourth Baraitha states on Num. 15, 31,[4]

ואתנם לו מורא וייראני, שקבל עליו כל דברי התורה באימה וברתת ובזיע, "And I gave them to him for the fear wherewith he feared Me", Mal. 2, 5, 'Aaron accepted upon him all the words of the Torah in awe, terror and trembling'. The authority of God, the Almighty, and the punishing justice of the strict Judge in case of failure to observe the laws filled Aaron with terror in which his unconditional surrender to God, the King of the Universe, the Lord of all human beings, was expressed.

[1] Sifré Num. 15, 22, 111, 31 b: (1) מה העובר על כל המצות פורק עול ומפר ברית ומגלה פנים בתורה אף העובר על מצוה אחת פורק עול ומפר ברית ומגלה פנים בתורה ואיזו זו עבודה זרה שפורק עול ומפר ברית ומגלה פנים בתורה.

[2] Yer. Synh. X, 27 c, 28; Tos. 12, 9: (2) אלו שאין להם חלק לעולם הבא וכו', הוסיפו עליהן הפורק עול והמיפר ברית והמגלה פנים בתורה אין להם חלק לעולם הבא.

[3] Yer. Pe'ah, I, 16 b, 26: (3) אבל הפורק עול והמיפר ברית והמגלה פנים בתורה אף על פי שיש בידו מעשים טובים נפרעים ממנו בעולם הזה והקרן קיימת לו לעולם הבא.

[4] Shebu'ōth 13 a: (4) תניא כי דבר ה' בזה, זה הפורק עול ומגלה פנים בתורה, ואת מצותו הפר, זה המיפר ברית בבשר, הכרת תכרת, הכרת לפני יום הכפורים תכרת לאחר יום הכפורים, יכול אפילו עשה תשובה תלמוד לומר עונה בה לא אמרתי אלא בזמן שעונה בה.

'Because he hath despised the word of the Lord', refers to him who breaks off the yoke and is insolent to the Torah; 'and hath broken His commandment', refers to him who breaks the covenant in the flesh; 'that soul shall utterly be cut off', means before the Day of Atonement as also after the Day of Atonement; as we might think that that applied even if he had repented, it says, 'his iniquity is upon him', which limits it to the case when his sin is still upon him. That Baraitha is preceded by another,[1] 'Rabbi says, The Day of Atonement atones for all transgressions of the laws included in the Torah, whether the sinner has repented or not, except the transgression of him who breaks off the yoke, is insolent to the Torah and breaks the covenant in the flesh, for only if he has repented does the Day of Atonement atone, but if he has not repented, it atones not'. In a fifth Baraitha[2] we read on Num. 15, 13, 'Because he hath despised the word of the Lord', 'This refers to him who is insolent to the Torah'; 'and hath broken His commandment', 'refers to him who breaks the covenant of the flesh; from this passage R. Eleazar of Modim deduced that he who profanes things sacred, and despises the festivals and breaks the covenant of Abraham our father, even though many good deeds be his, deserves to be pushed out from the world'. In the first Baraitha quoted from Sifré and marked as 1, it is clear from the outset that when the idolatrous Jew is said to break the covenant, it could hardly mean the covenant of circumcision, no more than when he who transgresses *all* the commandments would be charged specially with breaking the covenant of circumcision. In spite of the use of the identical expression את בריתי הפר in connexion with the neglect of circumcision in Gen. 17, 14, it would rather seem that here the wider covenant at Sinai was intended, just as the next sentence פורק עול is a comprehensive term for the breaking of God's yoke of Kingship imposed at Sinai.

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[1] (4 b) תניא רבי אומר על כל עבירות שבתורה בין עשה תשובה בין לא עשה תשובה יום הכפורים מכפר חוץ מפורק עול ומגלה פנים בתורה ומיפר ברית בבשר שאם עשה תשובה יום הכפורים מכפר ואם לאו אין יום הכפורים מכפר.

[2] Sifré Num. 15, 31, 112, 33 a; Synh. 99 a: (5) כי את דבר ה׳ בזה, זה המגלה פנים בתורה, ואת מצותו הפר, זה המפר ברית בשר, מכאן אמר רבי אלעזר המודעי המחלל את הקדשים והמבזה את המועדות והמפר בריתו של אברהם אבינו אף על פי שיש בידו מצות הרבה כדי הוא לדחותו מן העולם.

It is true that in the Baraithas nos. 4. 4 b. 5 המפר ברית is supplemented by the word 'in the flesh'; but there can be no doubt that in no. 1 the addition would be out of place, as the passage in Sifré continues,[1] 'The idolatrous Jew breaks the covenant, as in Deut. 17, 2 he transgresses God's covenant, and the covenant means, as in Deut. 28, 69, the Torah'.[2] Evidently, the Baraitha referred to the covenant at Mount Sinai in Exod. 24, 8; 19, 5, discussed above (21 ff.).[3] Again, the Baraitha[4] comments on Deut. 17, 2, 'A man or woman that doeth that which is evil in the sight of the Lord thy God, in transgressing His covenant', thus, 'This verse calls the idolater five names: evil, breaker of the covenant, blasphemer, provoker, rebel'. Here he who breaks the covenant is named in one of the five participles which describe him who transgresses the covenant of God prohibiting idolatry, and could naturally not refer at all to circumcision.[1] Though מפר ברית, according to Gen. 17, 14, could naturally denote the neglect of circumcision, in the days of the unnamed authors of the various Baraithas, probably in the last quarter of the first and the first quarter of the second centuries, it did not mean to refer to circumcision, as not only the need of the later explanatory addition of 'in the flesh' suggests, but also more definitely the varying form and wording of the statement of R. Eleazar of Modim. For in Baraitha no. 5 and in Abōth 3, 11, he mentions the breaker of the covenant and adds[2] the defining words 'of our father Abraham', and in ARN, XXVI, 41b 'in the flesh'. As R. Eleazar died a violent death towards the end of the siege of Betthar[3] about the year 135, the breaker of the covenant without either addition designated in his days a person who ignored some important precept other than that of circumcision. R. Eleazar himself very probably referred to the deliberate failure of some Jews in Judaea at the beginning of the second century to circumcise their sons, as the other points in his statement, Abōth 3, 11, clearly indicate, along with their contemptuous rejection of the festivals and things sacred, as is generally assumed, under the influence of an antinomistic form of Gnosticism. As it appears from the Baraithas, those Jews sought to justify their sinful and offensive conduct by some contemptuous criticism of the

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[1] שנאמר לעבור בריתו וגו׳ אין ברית אלא תורה שנאמר אלה דברי הברית.

[2] The same in Midr. Tann. Deut. 17, 2, 99: שכל העובד עבודה זרה פורק עול ומפר ברית ומגלה פנים בתורה שנאמר לעבר בריתו ואין ברית אלא תורה שנאמר אלה דברי הברית; Mekhil. Exod. 12, 6, 5 a; cf. Sifré Deut. 17, 2, 148, 104 a. In Sifra Lev. 26, 14, 111 c top, 'See, he who neither learns nor practises despises others (who do), hates the scholars and does not allow others to practise; in the end he denies the commandments, כופר במצות שנאמרו מסיני. Or is there a man who has all those failings and does not deny the fundamental thing, אבל אינו כופר בעיקר? As it says, Lev. 26, 15, "that ye break My covenant", להפרכם את בריתי, we see that he who has all those failings ultimately denies the fundamental thing'. This shows that breaking the covenant of God was understood to mean the denial of God. See further, p. 105.

[3] See Friedmann's note 3 in Sifré, p. 31 b and in בית תלמוד, 1, 1882, 331 bottom.

[4] Sifré Deut. 17, 2, 148, 104 a: איש או אשה אשר יעשה הרע בעיני ה׳ אלהיך לעבר בריתו . . . דבר אחר המקרא קרא לו חמשה שמות רע ומיפר ברית מנאץ מכעים ממרה.

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[1] Very instructive for our problem is Mekhil. Exod. 19, 5, 62 b: ושמרתם את בריתי, רבי אליעזר אומר זה ברית שבת ורבי עקיבא אומר זה ברית מילה ועבודה זרה. As in Exod. 19, 5 the covenant of God is not defined, nor explained from the context and by parallels as in Deut. 5 and 9 considered above, p. 25 ff., it allowed R. Akiba to refer it to any commandment described as covenant, among them circumcision being the most prominent. But R. Akiba rightly adds to it the covenant forbidding idolatry, as not only Deut. 17, 2, but also Deut. 4, 23; 31, 16. 20; 29, 24 and other passages unmistakably show that the covenant denoted the acceptance of God as the only God and King of Israel, and the rejection of all gods of the nations.

[2] Also in 2 ARN, XXXV, 44 a twice.

[3] Yer. Ta'an. IV, 68 d, 72.

Torah, and even declared that it had not been given by God.[1] As they thus rejected the precepts of God embodying His will, they broke from them off the yoke of the commandments, the obligation to obey them, and the yoke of God, His Kingship over every Israelite, imposed at Sinai and demanding unconditional surrender to Him and the acceptance of His decrees. As the breaking of the covenant was found by the authors of the exegetical Baraithas 4. 5 in the words 'he hath broken His commandment', the complete rejection of the Torah, including the Decalogue, the covenant of God with Israel, is designated by the breaking of the covenant.

In support of that interpretation of the Baraithas can be adduced a statement of Simeon b. 'Azzai, a contemporary of the antinomistic movement, who explained the first word of Lamentations thus,[2] 'The Israelites were exiled only when they had denied the One God of the Universe, circumcision which was given by God twenty generations after the creation of the world, the Ten Commandments and the five books of the Torah'. Though the list is Haggadic in its method of interpretation and is based on the numerical value of each of the four letters of the word איכה, the underlying ideas read into them are undoubtedly independent of the artificial interpretation and were derived from the actual religious conditions prevailing in Simeon's days in certain circles of Jews in Judaea. In his opinion the gravest sins possible were (1) the negation of the One God of the Universe, meaning either the denial of the existence of God, or, according to the emphatic 'One God', the belief in two powers in heaven,[3] (2) the definite rejection of circumcision, as in the list of R. Eleazar of Modim, (3) the non-observance or rejection of the Decalogue, and (4) of the whole of the five books of the Torah. As nothing is known of so detailed a list of the sins either of pre-exilic Israel or Judah or of the period which preceded the destruction of the second Temple, it is very probable that Simeon b. ʿAzzai painted here the attitude of contemporary antinomists among the Jews; and as he, no doubt, deliberately chose the word 'they denied', he pointed not to their neglect in the observance of certain laws, but to their complete rejection of the Torah, the Decalogue, circumcision and of God Himself. And in the same terms, though in a more general way, Simeon b. ʿAzzai's older contemporary, R. Tarfon, in his comparison of the negative religious attitude of the Minim with that of the Gentiles said[1] that the (Jewish) heretics knew God and denied Him, while the Gentiles denied Him, because they did not know Him; common to both is the denial of the One, true God of Israel.[2]

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[1] Synh. 10, 1.

[2] Threni rab. 1, 1, 1 : לא גלו ישראל עד שכפרו ביחידו של עולם ובמילה שנתנה לעשרים דורות ובעשרת הדברות ובחמשה ספרי תורה מנין איכה ; Weiss, Geschichte, 2, 125 bottom ; Bacher, Tannaiten, I. 421, 1.

[3] Sifré Deut. 32, 39, 329, 139 b : זאת תשובה לאומרים אין רשות בשמים, האומר שתי רשויות בשמים, Midr. Tann. Deut. 32, 39, 202 ; Sifré zuta Num. 15, 30, 101.

In the interpretation of Num. 15, 31 in Baraitha no. 4 it is evident that, just as the biblical basis was dealing with Israelites, so was the interpreting scholar, as only the Jew has to bear the yoke, to observe the covenant in the flesh and the commandments, and to respect the Torah. And similarly in Baraitha no. 1 the transgressor of all the commandments, and even of that of the prohibition of idolatry could only be a Jew. By worshipping heathen gods the Jew commits three grave, progressive sins; the first is the breaking off of God's yoke, by which he ceases to recognize Him as his King and Master and to feel obliged to obey His commandments, as the Baraitha[1] declares that he who acknowledges idols denies the Ten Commandments. The second sin, מגלה פנים בתורה has been interpreted in various ways.[2] It is explained in the Talmud first[3] as he who says that the Torah was not given from heaven, and secondly as he who transgresses the words of the Torah publicly. The noun גלוי פנים is applied by R. Eliezer[4] to 'Amalek who did not, as on previous occasions, come against Israel stealthily, secretly, but with a bare face.[5] If done against the Torah, it is insolent, as illustrated[6] by the reference of Num. 15, 30a, 'But the soul that doeth aught with a high hand', to one who is insolent to the Torah, as was Manasseh, the son of Hezekiah, who interpreted some of the statements about the patriarchs and their wives in Genesis in an abusive way.[7] It seems to suggest that it was in order to prove the human origin and the invalidity of the Torah that

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[1] Baraitha Shabb. 116 a; Tos. 13, 5; Yer. XVI, 15 c, 56: הללו מכירין וכופרין והללו אין מכירין וכופרין.

[2] After the reconstitution of the central religious authority, the beth-din, in Usha in Galilee after the Hadrianic religious persecutions, the scholars sent a message to Ḥananyah, the nephew of R. Joshua b. Ḥananyah, who, on account of the complete arrest of all religious activities and the absence of a central religious authority in Palestine, had established a beth-din in Nehar-Pekōd in Babylonia and, among other authoritative acts, regulated the calendar. The message ran (Berakh. 63 b top): ואמרו לאחינו שבגולה אם שומעין מוטב ואם לאו יעלו להר אחיה יבנה מזבח חנניא ינגן בכנור ויכפרו כולם ויאמרו אין להם חלק באלהי ישראל, Tell our brethren in Babylonia, if they obey, all is well, and if not, let them go up upon a hill (a high place), let Aḥiyyah build an altar, and let Ḥananyah (the Levite) play the harp (at the sacrifice), and let them all deny God and say, We have no share in the God of Israel. See Bacher, Tannaiten, I, 387, 1.

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[1] Sifré Num. 15, 22, 111, 31 b bottom.

[2] By Geiger, Nachgelassene Schriften, IV, 338 as allegorical, by Friedländer, Der Antichrist, 25, Treitel in Hermann Cohen's Festschrift, Judaica, 177, and Guttmann in MGWJ, 42, 1898, 337 as the Alexandrian allegorical interpretation of the Pentateuch; by Bacher, Terminologie, I, 149, Friedmann on Sifré 31 b in the name of R. Hillel: דמחציף פניו בתורה שלא לקיימה, and in בית תלמוד, 1, 1882, 331–5, and Marmorstein in REJ, 54, 1907, 193 as insolent. Cf. Jost-Creizenach's ציון, 2, 107–23.

[3] Yer. Synh. X, 27 c, 31: המגלה פנים בתורה זה שהוא אומר לא ניתנה תורה מן השמים. ולא כבר תניתה האומר אין תורה מן השמים, תני רבי חנינה ענתוניה קומי רבי מנא זה שהוא עובר על דברי תורה בפרהסיא כגון יהויקים בן יאשיהו מלך יהודה וחבריו.

[4] Mekhil. Exod. 17, 8, 53 a; Bacher, Terminologie, I, 149.

[5] Note that Targum Onkelos translates 'the children of Israel went out with a high hand', Num. 33, 3; Exod. 14, 8, by בריש גלי, courageously.

[6] Sifré Num. 15, 30, 112, 33a: והנפש אשר תעשה ביד רמה, זה המגלה פנים בתורה כמנשה בן חזקיה שהיה יושב ודורש בהגדה של דופי לפני המקום.

[7] The meaning of 'before God' probably is: to the face of God; Bacher, Tannaiten, I, 190.

Manasseh and those whom he typified in the Tannaitic period ridiculed the sexual references in the Pentateuch. The Baraitha quoted by R. Ḥaninah before R. Mana sees the provoking insolence to it in the *public* transgression of the Torah by king Yehoyakim and his companions. The third sin, the breaking off of the covenant, as suggested before, would refer to idolatry, or to the transgression of the Decalogue embodying the fundamental principles of Judaism, and to the rejection of all prohibitions in the Torah. But if the list was arranged in the form of a climax, according to this interpretation we should have expected a different arrangement. Perhaps the breaking off of the covenant meant the final severance of all ties with Judaism and Jewry, the rejection of God Himself.

9. For, as stated above (p. 92), he who takes interest on a loan from his fellow-Israelite breaks the yoke of God from off him. Similarly in the view of R. Yosé b. Ḥalaftha,[1] 'See the blindness of those who lend money for interest! if a man called his neighbour an idolater, an incestuous man or a shedder of blood, the offended person would demand the severest punishment of the offender; and here in advancing the loan the creditor brings the notary, pen and ink, the deed and the witnesses, and invites them to write that he has no share in the God who forbids the taking of interest; and the creditor takes the deed to the office of the government and thereby denies God, the Creator of the Universe. Hence you can learn that they who lend money for interest כופרין בעיקר, deny the fundamental principle.' As the first part of the statement shows, it means the same as to give up their share in the God of Israel,[2] to

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Tos. Baba meṣ. 6, 17; Baraitha b. 71 a; Yer. V, 10 d, 5.

[2] Cf. R. Simeon b. Yoḥai's statement above, p. 40, 4, and Yer. Ḥagig. II, 77 d, 33 in connexion with Menaḥem, Hillel's colleague, who with many other scholars left the assembly of scholars and who were told: כתבו על קרן שור שאין לכם חלק באלהי ישראל. The same words were included in the edict of Antiochos IV Epiphanes prohibiting the practice of the Jewish religion, Gen. r. 44, 17; see Friedmann on Mekhil. Exod. 20, 18, 71 b, note 12.

deny the true God, and, in order to emphasize the gravity of the sin, R. Yosé describes it as the greatest transgression possible, the rejection of the God of Israel. In the parallel passage[1] it is R. Meir who says, 'He who lends money for interest, and asks the notary to write the deed and the witnesses to sign it has no share in Him who gave the law about usury'. Their contemporary and colleague R. Ḥaninah b. Ḥakhinai on Lev. 5, 21,[2] 'If a soul lie unto his neighbour', says, 'No one lies to his neighbour without denying the fundamental principle'. And R. Reuben explained to a philosopher in Tiberias that the most hated man is he who denies his Creator; and he illustrated it thus, 'Honour thy father and thy mother, thou shalt not kill, thou shalt not commit adultery, thou shalt not steal, thou shalt not bear false witness against thy neighbour, and thou shalt not covet', these show that no man denies property without denying the fundamental principle, and no man proceeds to transgress the law unless he has denied Him who commanded it.[3] Here the Creator, the fundamental principle and the Giver of the commandments are synonyms for God.[4]

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[1] Mekhil. Exod. 22, 24, 96 b; Bacher, Tannaiten, II. 26, 1: המלוה בריבית ואומר לסופר בא כתוב ולעדים חתמו אין לו חלק במי שפקד על הריבית.

[2] Tos. Shebu'ōth 3, 6: אין אדם כיחש בעמיתו עד שכופר בעיקר

[3] Tos. Shebu'ōth 3, 6.

[4] An instructive instance is the dispute between R. Eliezer and the scholars, most probably R. Joshua, about the addition of the punishment of hanging on a tree the body of a person executed for a crime, Deut. 21, 22. R. Eliezer holds that it applies to every criminal executed by stoning; R. Joshua says: מה מקלל זה שכפר בעיקר אף כל שכפר בעיקר, Just as here hanging is prescribed for him who was executed for cursing God as one who denied the fundamental thing, so hanging applies only to one who denied the fundamental thing, Baraitha Synh. 45 b bottom. The blasphemer denied God, and on a level with him is the idolator, according to R. Eliezer's opponents, the scholars, in Synh. 6, 4: אינו נתלה אלא המגדף והעובד עבודה זרה, None is hanged after his execution except the blasphemer and the idolater. In the parallel Baraitha in Sifré Deut. 21, 22, 221, 114 b: מה המגדף מיוחד שפשט ידו בעיקר והוא נתלה כך כל הפושט ידו בעיקר הוא נתלה, As it is the special point in the blasphemer that he stretched forth his hand against the fundamental thing and he is (after

Without entering at the moment into an appreciation of the remarkable stress laid by those teachers of the middle of the second century in Galilee on the exceptional gravity of any sin committed by a Jew against his fellow-man as being at the same time a direct denial of God Himself, which is the greatest crime against God, we have to recognize therein merely an application of the principle enunciated by R. Yoḥanan b. Zakkai and other teachers of the first century. God revealed Himself on Sinai to Israel as the King of the Universe, the Master of all His creatures; He invited Israel to recognize Him as their King and Master, and when they accepted His Kingship and became His subjects, He gave them His laws, positive and negative, which they should observe as the expression of His will. Disobedience is disloyalty to their King, breaking off of His yoke and breaking of His covenant which were imposed upon them by God after the declaration of their willingness to accept them: it is the rejection of God as their King and the denial of Him.

The great concept of the gravity of any sin against the neighbour as a denial of God was already taught explicitly by the teacher of R. Meir, of R. Ḥaninah b. Ḥakhinai, and of R. Yosé b. Ḥalaftha, by R. Akiba. In the consideration of the sin of dishonesty in Lev. 5, 21 ff. it should be remembered that theft is prohibited in the Decalogue next to murder and adultery as one of the basic principles enunciated for the protection of both property and human society. In the anonymous Baraitha[1] considered above (p. 61) the law relating to theft was declared by a teacher of the first

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his execution) hanged, so is also any other person hanged that stretched forth his hand against the fundamental thing. In Midr. Tann. Deut. 21, 22, 132: וחכמים אומרים אין נתלה אלא מגדף ועובד עבודה זרה, אמר רבי יאשיה מסייע אני לדברי רבי יהושע שנאמר . ., the wording of the Mishnah is given, but it continues, no doubt, on the Mekhiltha on Deuteronomy: R. Yoshiyyah said, I support the words of R. Joshua by Num. 25, 4. This confirms the suggestion that the scholar opposing R. Eliezer was R. Joshua. Cf. also Yer. Synh. VI, 23 c, 24.

[1] Yoma 67 b; Sifra Lev. 18, 4, 86 a.

century to be one of the rational precepts which, if they had not been included in the Torah, should certainly be written there; but the reason, so obvious, is not stated by the scholar. The same prohibition is, along with others, enacted again in the list of forbidden actions the observance of which leads up to the sanctification of the Israelite, Lev. 19, 11, 'Ye shall not steal; neither shall ye deal falsely, nor lie one to another'; but again no reason is given. Evidently, the fundamental principle relating to the security of private property was, from time immemorial, clear to every Israelite, and the law appealed to him not only as reasonable, but also as sacred, and needed neither justification nor further explanation. In Lev. 5, the chapter which deals with various errors and sins for which an atoning sin- or trespass-offering has to be brought, first the offence against the property of the Sanctuary and the holy things of God is stated, Lev. 5, 14–19; and then follows the case in vv. 20–26, when a man embezzles goods entrusted to his care, or a pledge taken by him, or a thing robbed or withheld, or one found by him the possession of which he denies and, when challenged, he supports his denial by a false oath. When later on, of his own accord, he admits the misappropriation, he has, first of all, to restore the goods themselves or their equivalent to the rightful owner and to pay him an additional fifth of the value of the property, and only then has he to bring for the atonement a ram for the trespass-offering. Again no reason is given for the prohibitions implied by the sins enumerated, evidently because this was not the place for dealing with, or even for mentioning, the prohibitions themselves, and the sins are only stated in a subordinate clause. While the main purpose of the whole paragraph is to state the method of the atonement by the trespass-offering after restitution and compensation, still sufficient is said as to the nature and the gravity of the sin of the misappropriation in the short introductory statement that, while the act of dishonesty is a sin against the fellow-man, at the same time it constitutes a trespass against God, Lev. 5, 21; Num. 5, 6. That weighty moral fact, naturally, did not escape the notice of the teachers, and their comment reflects their realization of the grave character of the sin involved. So R. Akiba remarked:[1] 'What is the meaning of the words, "and commit a trespass against the Lord"? It is this: when a man lends or borrows money or transacts any business, he does so by a deed and before witnesses (who sign the deed): when later either of the parties denies the fact, he denies it against the witnesses and against the deed. But he who deposits anything with his neighbour does not wish anybody to know of it except the third person (present) between them (God upon whom the depositor calls to witness the act). When later the neighbour denies that he received the deposit, he denies it against the third person concerned, against God who (at the transaction) was witness between the two: that is the meaning of "and he commits a trespass against the Lord".'

The same beautiful interpretation of those words was already given by Philo,[2] but, naturally, in a fuller and rhetorically expanded form. He says, 'A deposit is the most sacred of all those things which relate to the associations of men with regard to property, inasmuch as it depends upon the good faith alone of the man who has received it. For loans for interest are proved by contracts and writings, and eye witnesses testify to loans without interest which are advanced publicly. But this is not the case with deposits, but the owner by himself gives them privily to the man who receives them by himself, looking round carefully, and not even taking a slave with him to carry the thing to be deposited, even though he be ever so affectionate to his master; for each of the two parties appears to be anxious to avoid discovery, the one depositing the thing that he handed it over, and the other being desirous not to be known to have received it. But we ought by all means to look upon the invisible God as an unseen third party to every concealed action, whom it is natural to make a witness for both parties: the receiver calling Him to witness that he will restore the deposit when it is demanded from him, and the other making Him to see that he receive it back at the proper time. Let then the man who commits this great wickedness and denies his deposit, not be ignorant . . . that he neglects all human and all divine obligations, and that he is denying two deposits at once, firstly, the deposit of him who entrusted his property to his care, and secondly, that of the most unerring and infallible witness who sees all the actions of all men, and hears all the words of all men, whether they are willing that He should do so or not'. Whether this comment of Philo was his own original idea and was suggested to him solely by the unusual formulation of the introduction in v. 21, or, apart from the un-Jewish and purely Greek distinction between loans for interest and loans without interest, he was influenced by a Palestinian traditional interpretation, is difficult to say. In any case, the agreement between Philo and R. Akiba who, as is evident from his numerous sayings, was otherwise not influenced by Philo or any other of the Jewish-Hellenistic writers, is noteworthy.

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[1] Sifra Lev. 5, 21. 27 d, § 4: רבי עקיבא אומר מה תלמוד לומר ומעלה מעל בה׳, לפי שהמלוה ולוה והנושא והנותן אינו מלוה ואינו לוה ואינו נושא ואינו נותן אלא בשטר ובעדים לפיכך בזמן שהוא מכחיש מכחיש בעדים ובשטר, אבל המפקיד אצל חבירו אינו רוצה שתדע בו נשמה אלא שלישי שביניהם בזמן שמכחיש מכחיש בשלישי שביניהם. Cf. Num. r. 9, 2; Yalkut Makhiri on Prov. 2, 17, in Grünhut, ספר הלקוטים VI, 1 a, the anonymous statement: וכחיש בעמיתו, והרי דברים קל וחומר ומה ממון הקל הכיפר בפקדון כאילו כופר בהקב״ה שנאמר ומעלה מעל בה׳ וכחש בעמיתו, הכופר בפקדון הגוף על אחת כמה וכמה שכל הכופר בו כאילו כופר בהקב״ה לכך נאמר איש איש כי תשטה אשתו וגו׳, As he who denies a deposit is as though he denied God, as it says, 'and commit a trespass against the Lord, when he deals falsely with his neighbour', how much more is the person who deals falsely with the body entrusted to him as though he denied God, as it says, Num. 5, 11, 'If any man's wife go aside, and act unfaithfully against him . . .'.

[2] De spec. leg. IV, 30 = About theft, 7 = M. II, 340; Ritter, Philo und die Halacha, 62, 1; Yonge's translation of Philo, III, 362.

But his idea was already enunciated by R. Yoḥanan b. Zakkai in his statement that the thief by his action in secret treats the eye of God as though it did not see and His ear as though it did not hear.[1] Similarly, the anonymous interpretation of the law in Num. 5, 6, the parallel to Lev, 5, 21, has,[2] As it says in Lev. 5, 21, 'If any one sin, and commit a trespass against the Lord, &c., or have found that which was lost, &c.', we know that he who lies to his neighbour in the cases enumerated is as though he lied to God; but whence do we know that the same also applies in other cases? from Num. 5, 6, 'any sins committed against man'. This teacher, just as R. Akiba, or perhaps R. Akiba himself, declared that the man who falsely denied that he had received, or that he had in his possession, the property of his neighbour, denied God as witness.[3] It would be of special interest to establish whether R. Akiba in his statement on Lev. 5, 21 intended to say that, as the dishonest man by his denial of the transaction declared the signatures of the witnesses on the deed to be forged and the deed itself to be a forgery, so in the instance of the deposit the false guardian merely denied the presence of God at the handing over of the goods to him and at the whole transaction between the two parties; or whether R. Akiba, as his disciple R. Ḥaninah b. Ḥakhinai, meant that the denying guardian by his negation of the transaction even denied the existence of God.[1] The parallelism of the denial by the debtor of the witnesses and the deed, and along with them the negation of the fact of the transaction itself supports the second alternative. But even if in R. Akiba's view the false guardian only negated the presence of God as a witness, as in R. Yoḥanan b. Zakkai's statement the thief's action implied that God did not see man's doing, those beliefs implied the denial of reward and punishment by God. That is expressed by R. Akiba[2] in his remarkable rendering of Psalm 10, 13, which he applies to the generation of the flood, 'Wherefore doth the wicked contemn God? he hath said in his heart, Thou wilt not require it', 'he says, There is neither judgment nor a judge: but there is judgment and there is a Judge'. Even if R. Akiba meant by those words that the sinner only denied God as the Judge of man's actions,[3] but not God Himself, it is clear that the negation of all responsibility of man to God leads to the deliberate and unrestrained transgression of all the prohibitions in the Torah.[4] That is another way

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[1] Tos. Baba kam. 7. 2; b. 79 b; Mekhil. Exod. 22, 6, 91 b; Bacher, Tannaiten, I, 29: שאלו תלמידיו את רבן יוחנן בן זכאי וכי מה ראתה תורה להחמיר בגנב יותר מבגזלן, אמר להן גזלן השוה כבוד עבד לכבוד קונו גנב חלק כבוד לעבד יותר על כבוד קונו כביכול עשה גנב את עין העליונה כאילו אינה רואה ואת האוזן שאינה שומעת שנאמר הוי המעמיקים מה׳ לסתיר עצה והיה במחשך מעשיהם ויאמרו מי רואנו ומי יודענו ויאמרו לא יראה יה ולא יבין אלהי יעקב כי אמרו אין ה׳ רואה אותנו עזב ה׳ את הארץ, 'The disciples asked R. Yoḥanan b. Zakkai, On what ground does the Torah deal more strictly with the thief than with the robber? He replied, The robber makes the respect for man, the servant of God, equal to the respect for God, his Master (he respects neither); the thief puts the respect for the servant higher than the respect for his Master (he heeds man, but not God), if we may say so, the thief treats the eye of God as not seeing and His ear as not hearing, as in Is. 29, 15; Psalm 94, 7; Ezek. 8, 12' (cf. Sirach 23, 18. 19). Accordingly, theft is a crime not only against the property and its owner, but at the same time a grave religious sin against God, as by his action in secret the thief says that God does not see it, as also the prophets and the Psalmist reproached sinners in the same way.

[2] Sifré Num. 5, 6, 2, 2 a: כי יעשו מכל חטאות האדם למעל מעל בה׳, למה נאמר, לפי שנאמר נפש כי תחטא ומעלה מעל בה׳ וגו׳ או מצא אבדה וגו׳, אין לי אלא במשקר באלו כמשקר במקום, בשאר כל דבר מנין תלמוד לומר כי יעשו מכל חטאות האדם.

[3] In Tos. Sotah 2, 3 R. Eleazar (b. Shammu'a) says, In connexion with the woman suspected of adultery jealousies are mentioned in the plural, Num. 5, 15, meaning: she makes her husband jealous and makes God jealous. In Sifré Num. 5, 15, 8, 4 b the same is stated anonymously in different terms: שתי קנאות . . וכשם שקנאה למטה כך קנאה למעלה,

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two acts of jealousy: as there is one produced on earth so there is another in heaven. Cf. p. 108, 1.

[1] Bacher, Tannaiten, I, 307, 6.

[2] Gen. r. 26, 6: אמר רבי עקיבא על מה נאץ רשע אלהים אמר בלבו לא תדרש, לית דין ולית דיין אבל אית דין ואית דיין, Bacher, Tannaiten, I, 337.

[3] Cf. Lev. r. 28, 1 on Eccl. 12, 9.

[4] It is interesting to find in Sifré Num. 15, 31, 112, 33 a two interpretations of 'and hath broken His commandment': ואת מצותו הפר זה אפיקורוס, דבר אחר כי את דבר ה׳ בזה זה המגלה פנים בתורה, ואת מצותו הפר זה המפר ברית בשר, one refers it to the Epikuros, the other to the

of expressing the breaking off of God's yoke and Kingship, recognizing no obligation of obedience and no responsibility to the Master of the Universe and of all human beings and to their Judge. God is not remote from man and his doing, nor has He withdrawn from the world; but He imposed at Sinai His Kingship and the yoke of obedience to Him upon Israel, and as their King He gave them His covenant, the Decalogue and the commandments. He watches every Israelite and his actions to see whether they are in agreement with His declared will, His commandments, and whether His Kingship is continuously remembered by obedience to His covenant and by the sense of responsibility to Him for every action. Account will have to be given not only during life on earth, but, as R. Yoḥanan b. Zakkai and ʿAkabyah b. Mahalalel explained, also, and mainly, after death before God, the King of all kings. Deliberate disobedience to His commandments constitutes a negation of His omniscience and omnipresence, a breaking off of the yoke of obedience and a denial of His providence, and of God Himself.

As an instance of deliberate and offensive sinning the scholars at the end of the first and the beginning of the second centuries discussed the actions of the generation of the flood and their motives. Anonymous Baraithas[1] term their sinning rebellion, מרד, 'Thou findest that the early generations, those of the flood and of the dispersion and the Sodomites only rebelled against God on account of eating and drinking'. In another anonymous Baraitha[2] it is stated that the generation of the flood exalted itself only on account of the blessing which God had showered upon them, and it

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breaking of the covenant. In the parallel Baraitha in Synh. 99a they are deduced from the words 'because he hath despised the word of the Lord', and the first explanation is: אין תורה מן השמים.

[1] Midr. Tannaim Deut. 32, 15, 194; Sifré Deut. 11, 15, 43, 81a; 32, 15, 318, 136a; Lev. r. 5, 1 ff.: וכן את מוצא בראשונים דור המבול ודור הפלגה והסדומיים שלא מרדו במקום אלא מתוך מאכל ומשקין . . .

[2] Synh. 108a; Tos. Sotah 3, 6-9: תנו רבנן דור המבול לא נתגאו אלא . . בשביל טובה שהשפיע להם הקב"ה . . והיא גרמה שאמרו לאל סור ממנו ודעת דרכיך לא חפצנו . . .

caused them to say to God, Job 21, 14, 'Depart from us: for we desire not the knowledge of Thy ways. (15) What is the Almighty, that we should serve Him? and what profit should we have, if we pray unto Him?' According to these verses which are referred to the generation of the flood, it refused to serve God, which is the same as breaking off the yoke and rebelling against Him; this is designated as haughtiness against God. R. Akiba described their attitude differently,[1] 'It says, Gen. 6, 3, "My spirit shall not judge in man for ever", God said, Men did not argue about themselves in their minds that they are only mortal beings, but raised their spirit in pride against God, as it says, Job 21, 14, They said to God, &c.' And, as quoted before, R. Akiba interpreted Gen. 6, 3 in conjunction with Psalm 10, 13, that those sinners said that there was no judgment and no judge, God could be ignored and slighted, as man on earth was not responsible to God in heaven for his doings.[2] In an anonymous statement[3] which very probably belongs to R. Eliezer,[4] Lev. 26, 14, 'But if ye will not hearken unto Me', is referred to one who knows his Master, but rebels against Him with deliberation, as Nimrod 'who was a mighty hunter *before the Lord*', Gen. 10, 9, meaning that, though he knew his God, he rebelled against his Master with deliberation, and as the Sodomites 'who were sinners *against the Lord*', indicating that, though they knew their God, they rebelled against Him with deliberation. Their knowledge of God makes their rebellion even graver, as R. Tarfon said[1] of the Jewish heretics, the Minim, that they were worse than the Gentiles, as the latter denied the true God, because they did not know Him, while the Minim denied God, though they knew Him. And Elisha' b. Abuyah told R. Meir how he had once heard a heavenly voice from the Holy of Holies saying, '"Turn back, ye backsliding sons", except Elisha' b. Abuyah who knew My strength and still rebelled against Me'.[2] Such deliberate breaking off of the yoke of God by one who had acquired a knowledge of God by the study of the Torah or by the instruction of a prophet could only be the result of haughtiness and conceit.[3]

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[1] ARN, XXXII, 47a: רבי עקיבא אומר הרי הוא אומר לא ידון רוחי באדם לעולם, אמר הקב"ה לא דנו בעצמן שהן בשר ודם אלא הגיסו את רוחן כלפי מעלה שנאמר ויאמרו לאל סור ממנו ודעת דרכיך לא חפצנו.

[2] R. Akiba's disciple, R. Meir says in ARN, XXXII, 47a on Gen. 6, 3, 'God said, This generation asserts that God will not judge, there is no Judge in the world, God has abandoned the world'. Bacher, Tannaiten, II, 61, 1.

[3] Sifra Lev. 26, 14, 111b: ואם לא תשמעו לי מה תלמוד לומר, אלא זה שהוא יודע את רבונו ומתכוין למרוד בו, וכן הוא אומר כנמרוד גבור ציד, שאין תלמוד לומר לפני ה׳, אלא זה שהוא יודע את רבונו ומתכוין למרוד בו, וכן הוא אומר ואנשי סדום רעים וחטאים לה׳ מאד, שאין תלמוד לומר לה׳, אלא אילו שיודעים את רבונן ומתכוונין למרוד בו. Cf. R. Yoḥanan b. Zakkai in Baraitha Ḥagig. 13a of Nimrod: שהמריד כל העולם כולו עליו במלכותו, above, p. 46, and Sifré zuta Num. 11, 18, 80.

[4] According to ARN, XXXVI, 53b: אנשי סדום . . שנאמר ואנשי סדום רעים וחטאים לה׳ מאד, רעים זה עם זה, וחטאים בגילוי עריות, לה׳ זה חילול השם, מאד שהיו מתכוונין לעבירות דברי רבי אליעזר, 'The men of Sodom were wicked and sinners against the Lord exceedingly', Gen. 13, 13, 'exceedingly' means according to R. Eliezer that they prepared themselves to commit the sins. And when in the parallel Baraitha in Synh. 109a it

But it must be admitted that מרד is not always used

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is R. Yehudah who says, שמתכוונים וחוטאים, he said so, as in other instances, in the name of his master R. Eliezer. Cf. Rabbinovicz.

[1] Baraitha Shabb. 116 a; Yer. XVI, 15 c, 56; Tos. 13, 5, above p. 102.

[2] Yer. Ḥagig. II, 77 b, 60: שידע כחי ומרד בי, not in the parallel account in b. Ḥagig. 15 a bottom.

[3] R. Yosé b. Dormaskith, a disciple of R. Eliezer, refers to the pride of the generation of the flood in Tos. Sotah 3, 9; Baraitha Synh. 108 a; Gen. rab. 32, 7: הן לא נתגאו אלא בגלגל העין שדומה למים שנאמר ויראו בני האלהים את בנות האדם אף הקב"ה לא נפרע מהם אלא במים שנאמר ביום הזה נבקעו כל מעינות תהום רבה, They exalted themselves only by the apple of the eye which is like water, as it says, Gen. 6, 2, 'And the sons of God saw the daughters of men', and God also punished them through water, as it says, Gen. 7, 11, 'All the fountains of the great deep were broken up'. What was their exaltation with the apple of their eye? Does it mean according to the verse adduced that, by lifting their eyes to married women and by appropriating them, they deliberately committed adultery and exalted themselves against God by ignoring His law and Him? In Sifré Deut. 11, 15, 43, 81 a; Mekhil. Exod. 15, 1, 35 b; Bacher, Tannaiten, I, 392, 3, it reads differently: הם נתנו עיניהם עליונה ותחתונה כדי לעשות תאותם אף הקב"ה פתח להם מעיינות עליונים ותחתונים כדי

in that sense. For in the Baraitha[1] of R. Yosé b. Ḥalaftha, the author of the Seder 'Olam, it says of king Reḥobo'am, 'In his fourth year they (he and his sons) rebelled against God, as it says, 2 Chron. 12, 1, "And it came to pass, when the kingdom of Reḥobo'am was established, and he was strong, that he forsook the teaching of the Lord, and all Israel with him; (1 Reg. 14, 24: and there were also sodomites in the land.) (2) And it came to pass in the fifth year of king Reḥobo'am, that Shishak king of Egypt came up against Jerusalem, because they had dealt treacherously with the Lord."' As the author inserted a verse from Kings, recording a grave sin not mentioned in Chronicles, it is clear that he wanted to give a complete list of Reḥobo'am's sins. Either all these constitute together his rebellion against God, the forsaking of His Torah, the establishment of the immoral cult and the treachery against God being all parts of the rebellion, or it is one of them only that was sufficient to stamp the king's action as so grave a sin; but in that case it is difficult to single out one as decisive. For treachery against God in 1 Chron. 5, 25, 'And they broke faith with the God of their

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לאבדם. As they turned their eyes upwards and downwards in order to satisfy their lust, also God opened the upper and the lower fountains upon them to destroy them. Turning the eyes upwards means: in pride and provocation against God, and a comparison of the two versions of the statement seems to suggest that R. Yosé spoke of two different apples of the eyes, one of God and the other of men, the first having been referred to in לא נתגאו אלא בגלגל עין העליונה, as in the statement of R. Yoḥanan b. Zakkai in Tos. Baba kam. 7, 2: עשה גנב את עין העליונה כאילו אינה רואה, The thief treated the eye of God as though it did not see; and in a passage of the fourth century in Gen. rab. 42, 3. 7: ישובו ויבאו אל עין משפט וגו׳, אמר רבי אחא לא באו להזדווג אלא בתוך גלגל עינו של עולם, עין שעיינתה מדת הדין בעולם הם מבקשים לסמותה, 'And they turned back, and came to עין משפט', Gen. 14, 7, R. Aḥa said, They came to attack the very apple of the eye of the world (God): the eye that exercised justice in the world they tried to blind. Bacher, Paläst. Amor. III, 130, 7.

[1] Seder 'Olam XVI of Reḥobo'am: וברביעית מרדו במקום שנאמר ויהי כהכין מלכות רחבעם וכחזקתו עזב את תורת ה׳ וגומר ואומר וגם קדש היה בארץ וגומר. Cf. Neubauer, Mediaeval Jewish Chronicles, II, 47.

fathers, and went astray after the gods of the peoples of the land, whom God destroyed before them', and in 1 Chron. 10, 13, 'So Saul died for his trespass which he committed against the Lord, because of the word of the Lord, which he kept not; and also for that he asked counsel of a ghost, to inquire thereby, (14) and inquired not of the Lord', seems to correspond with the breaking of God's covenant in Deut. 31, 16. 20;[1] and, as was shown above (p. 108), R. Akiba rendered 'commit trespass against the Lord' in Lev. 5, 21 by מכחיש במקום and משקר, deny God, and he adduced in support the two biblical passages just quoted and Josh. 7, 1.[2] If, then, the adoption of idols is described as treachery against God, the denial and rejection of Him, as was shown, is rebellion, the breaking of God's yoke.[3] In favour of the identical connotation of מעל and מרד may be quoted Josh. 22, 22, 'If it be in rebellion, or if in treachery against the Lord'; and of Rabbinic times the statement of R. Simeon b. Yoḥai,[4] 'If a man was throughout his life perfectly righteous, but rebelled in the end, he destroyed all that he had done throughout his life, as it says, Ezek. 18, 24, But when the righteous turneth away from his righteousness, and committeth iniquity, and doeth according to all the abominations that the wicked man doeth, shall he live? None of his righteous deeds that he hath done shall be remembered; for his trespass that he trespassed, and for his sin that he hath sinned, for them shall he die.'[5] The abominations and trespasses are explained in vv. 6. 11. 15, 'For he hath eaten upon the mountains, and hath lifted up his eyes to the idols of the house of Israel, and hath defiled his neighbour's wife', as idolatry coupled with immoral cults, the practice of which R. Simeon describes as rebellion against God, as they were preceded by turning away from God. An anonymous Baraitha[1] illustrates Moses' request in Num. 27, 16 and God's answer to it in 28, 2 by this simile, 'When on her death-bed his wife requested the king to take care of her children, he said to her, Instead of asking me to look after my children, command thy children not to rebel against me and not to treat me with contempt: so God said to Moses, Instead of requesting Me concerning My children, ask My children not to treat Me with contempt and not to exchange My glory for strange gods'. In comparing in the illustration the parts corresponding with the statement of the reality, we find that rebellion is the exchange of God for idols, that is, the rejection of God and the adoption of strange gods.[2]

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[1] See 2 Chron. 29, 6, 'For our fathers have acted treacherously, and done that which was evil in the sight of the Lord our God, and have forsaken Him; 28, 22. 23; 36, 14; Ez. 20, 27.

[2] Sifré Num. 5, 6, 2, 2 a.

[3] Cf. Sifré Num. 15, 22, 111, 31 b ff., 32 a: מגיד הכתוב שכל המודה בעבודה זרה כופר בעשרת הדברות ובמה שנצטווה משה ובמה שנצטוו הנביאים ובמה שנצטוו אבות, The verse tells us that he who acknowledges idols denies the Decalogue and that which Moses, the prophets, and our fathers were commanded.

[4] Baraitha Yer. Pe'ah, I, 16 b, 15; Tos. Kidd. 1, 14; b. 40 b: תני רבי שמעון בן יוחי הרי שהיה האדם צדיק גמור כל ימיו ובאחרונה מרד איבד זה כל מה שעשה כל ימיו, מה טעם, ובשוב צדיק מצדקתו ועשה עול וגו׳.

[5] Tos. and b. quote Ezek. 33, 12 ff.

For in the Pentateuch the covenant which God at Sinai offered to the Israelites only and which they readily took upon them, bound them in the first instance to recognize Him as their only God and prohibited as a breach of the covenant the worship of other gods. By His continued revelation God's covenant was extended to the rest of the Decalogue and to all the commandments, and imposed obedience to God and His will for all times and upon every individual Israelite. Prophets and Psalmists, and after them Palestinian post-biblical writers refer to the obligation imposed upon Israel by the covenant, and Sirach calls the Pentateuch the book of the covenant. In Rabbinic statements of the first century the covenant and the oath of God pronounced at Sinai were interpreted as having served as means to make Israel undertake obedience to the commandments more solemnly, and the Israelites are termed the sons of God's covenant. As the prophets and the Psalmists describe God as the King of Israel, the earth, the peoples, or as the King, and Sirach invokes God as King, so in Rabbinic statements of the first century He as the King of all kings imposed at Sinai upon His chosen subjects, the Israelites, who first willingly accepted His Kingship over them, His royal decrees, the commandments. To worship other gods was, consequently, rebellion against God, Israel's and the individual Israelite's King. He declared the Israelites at Sinai to be His subjects who in recognizing Him as their God and King accepted upon them the Kingship or the yoke of God to whose will, expressed in His commandments, absolute obedience was due. His yoke does not mean the laws, but God's Mastery over every Israelite, and the acceptance of the yoke or the Kingship is manifested especially by his ready obedience to unintelligible laws as God's royal decrees. To defy His will, and to obey a human authority or accept its yoke as against that of God constitute a breaking off of His yoke. As His subject every Israelite has not only to submit to God's Kingship and yoke by obeying His injunctions, but has also to receive upon him in his heart twice daily the Kingship of God by reciting Deut. 6, 4 ff., and to be ready even to give up his life for His God. A Jew who worships other gods or defies God by grave sins breaks off His yoke, breaks His covenant and is insolent to the Torah, he has no longer a share in the God of Israel, he rebels against Him and denies Him. The denial of a deposit received and any act of dishonesty, as cheating by weight or measure, as also lending money for interest constitute a breaking off of God's yoke. The covenant imposed by God and accepted by Israel at Sinai, His Kingship and His yoke are the sources of Israel's obligation to worship Him as his God and to obey His commandments.

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[1] Sifró Num. 28, 2, 142, 52 b ff.

[2] So also R. Neḥemiah uses מרד in Gen. r. 38, 9; Tanḥ. נח B. 4; cf. also Baraitha Baba bath. 16 b: דבר אחר שלא מרד עשו בימיו, and the probably late statement in Num. r. 7, 2. The dispute between R. Joshua and R. Eliezer in Mekhil. Exod. 17, 7, 52 b, is ascribed in Pesik. 28 a to R. Yehudah and R. Neḥemiah, and for 'we shall not serve Him' the latter says, נמרוד בו, 'we shall rebel against Him'; see above 84, 1.

II

THE SERVICE OF GOD FOR THE LOVE OR THE FEAR OF HIM, AND THE RIGHT ATTITUDE OF THE JEW TO SUFFERING.

1. As was shown in the preceding chapter, the imposition of the yoke by a conqueror or by a hereditary or an elected king upon the people implied for the nation continuous obedience and service to the ruler. So Jer. 27, 8 says, 'And it shall come to pass, that the nation and the kingdom which will not serve the same Nebuchadnezzar, king of Babylon, and that will not put their neck under the yoke of the king of Babylon, that nation will I visit, saith the Lord'. The verb 'serve' is used here as a parallel to the placing of the neck under the yoke of the victorious conqueror, or in the reverse order in v. 11, 'But the nation that shall bring their neck under the yoke of the king of Babylon and serve him'. Or again in v. 12, and several times in the course of the prophet's speech, 'serve' is used by itself to express the same relation between the conquered people and its conqueror and the subjects and their ruler, as also in a number of relevant passages in every part of the Bible. The subjects may try to regain their independence and to break from off them the yoke of the foreign ruler; so Isaac in blessing Esau says, Gen. 27, 40, 'And by thy sword shalt thou live, and thy brother shalt thou serve; and it shall come to pass, when thou shalt break loose (?), that thou shalt shake off his yoke from off thy neck'. The successful breaking off of the yoke terminates the serving and its burdens. Several new and very interesting aspects of the contrast between the two facts are evident in Jer. 30, 8, 'And it shall come to pass in that day, saith the Lord of hosts, that I will break his yoke from off thy neck, and will burst thy bands; and strangers shall no more make him their bondman; (9) but they shall serve the Lord their

God, and David their king, whom I will raise up unto them'. As in Egypt, Lev. 26, 13, so here God breaks the yoke imposed by the conqueror upon Israel and thereby He removes forced labour and subjection from His people; having regained its freedom, Israel transfers its service to God and to its national king, but, as it appears, without receiving the yoke and the bands. The new service is not expressed by עבד ב', for they readily recognize the Kingship of God and serve and worship Him, and accept willingly the service of king David.

As we have seen, to stop the payment of tribute and the rendering of service to the conqueror and the attempt to shake off his yoke are termed rebellion, מרד. So in Gen. 14, 4, 'Twelve years they served Chedorlaʿomer, and in the thirteenth year they rebelled'; and in 2 Reg. 18, 7, 'And he, Ḥezekiah, rebelled against the king of Assyria, and served him not'; 2 Reg. 24, 1, 'In his days Nebuchadnezzar, king of Babylon, came up, and Yehoyakim became his servant[1] three years; then he turned and rebelled against him': and 2 Chron. 13, 6, 'Yet Yeroboʿam, the son of Nebat, the servant of Solomon, the son of David, rose up, and rebelled against his lord'. And in the same way is 'rebel' used of Israel's turning away from God in Ezek. 2, 3, 'Son of man, I send thee to the children of Israel, to rebellious nations, that have rebelled against Me; they and their fathers have transgressed, פשעו, against Me, even unto this very day. (20, 38) And I will purge out from among you the rebels, and them that transgress, והפושעים, against Me. Josh. 22, 16, What treachery is this that ye have committed against the God of Israel to turn away this day from following the Lord, in that ye have builded you an altar to rebel this day against the Lord? (22) If it be in rebellion, or if in treachery against the Lord, (23) that we have built us an altar to turn away from following the Lord; (29) far be it from us that we should rebel against the Lord, and turn away this day from following the Lord.' The verb פשע, standing next to מרד, does not mean transgress, but, as in many other instances when used by itself in a political sense,[1] rebel. And in the same meaning the prophets use it of Israel's faithlessness in turning away from God to idols, as in Ezek. 37, 23, 'Neither shall they defile themselves any more with their idols, nor with their detestable things, nor with any of their transgressions'. As in this translation the resulting anticlimax is hardly admissible, the last word must needs be a strong synonym of the preceding two nouns and denote positive acts of faithlessness, as in Is. 1, 28, 'But the destruction of the transgressors and the sinners shall be together; and they that forsake the Lord shall be consumed; (29) for they shall be ashamed of the terebinths which ye have desired, &c.' Clearly those who forsake the Lord and those who plant idolatrous trees were of the same class and character as the transgressors, and the gravest faithlessness to God, not transgression, was intended by the term. Similarly in Mic. 1, 5, 'For the transgression of Jacob is all this, and for the sins of the house of Israel. What is the transgression of Jacob? is it not Samaria? and what are the high places of Judah? are they not Jerusalem?' Here also not transgression is meant, though sin is mentioned immediately after it, but, as the context unmistakably shows, rebellion against God and turning to Ba'al. Also in Jer. 3, 13, 'Only acknowledge thine iniquity, that thou hast transgressed against the Lord thy God, and hast scattered thy ways to the strangers under every leafy tree, and ye have not hearkened to My voice, saith the Lord', the worship of Astarte and the consequential treachery against God are characterized by that verb. So already in Hos. 7, 13, 'Woe unto them! for they have strayed from Me; destruction unto them! for they have transgressed against

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[1] 'Became' is hardly correct, as the Hebrew verb expresses the continued state of serving.

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[1] 2 Reg. 1, 1: ויפשע מואב בישראל, 3, 5. 7; 8, 20. 22; 2 Chron. 21, 8. 10; 1 Reg. 12, 19.

Me; shall I then redeem them, seeing they have spoken lies against Me?' The progress from 'stray' to פשע demands for the latter the connotation of a complete forsaking of God. In Is. 59, 13, 'Transgressing and denying the Lord, and turning away from following our God', the parallelism as well as the logical progress from the first to the second verb are cogent proofs that 'transgress' cannot be the meaning of פשע. The same is admitted in Is. 1, 2, 'Children I have reared, and brought up, and they have rebelled against Me', and should also be assumed in Ezek. 14, 11, 'That the house of Israel may go no more astray from Me, neither defile themselves any more with all their transgressions; but that they may be My people, and I may be their God, saith the Lord God', where acts of idolatry and of faithlessness against God estranged the people from Him.

2. The contrast between the forced labour and service to be given by Israel to a conqueror who, at first, imposed a lighter yoke upon it and later substituted a heavy yoke of iron, and the different service of, and the obedience to, God is described in Deut. 28, 47 in very instructive terms, 'Because thou didst not serve the Lord thy God with joyfulness, and with gladness of heart, by reason of the abundance of all things; (48) therefore shalt thou serve thine enemy whom the Lord shall send against thee, in hunger, and in thirst, and in nakedness, and in want of all things; and he shall put a yoke of iron upon thy neck, until he have destroyed thee'. God expected Israel to serve Him with joyfulness and gladness of heart, an attitude of the mind and sentiments of the heart that in themselves are most characteristic of the relation between Israel and his God. And for the Rabbinic conception of them it is most instructive to observe how that verse was applied by R. Yoḥanan b. Zakkai. Amid the general misery brought upon Judaea by the Roman destruction of Jerusalem and of the best part of the country by Titus in the year 70, R. Yoḥanan once saw in Ma'on in Judaea a young Jewish woman in abject poverty, and her condition typified to him

the fate of his people and suggested to him the causes of its downfall. In continuation of his remarks he said to his disciples,[1] 'Because thou (my people) didst not serve the Lord thy God with love, therefore shalt thou serve thine enemy in hatred'. He substituted for 'with joyfulness and with gladness' in Deut. 28, 46 'in love,' which is a wider, more comprehensive and deeper sentiment and has for its object God Himself: it is the motive of the joyfulness of the service of God, which is only one of its numerous manifestations. So the idea of the service of God for the love of Him was in the days of R. Yoḥanan an accepted teaching. It is referred to again in a statement of the first century,[2] 'On the same day[3] R. Joshua b. Hyrkanos expounded that Job had served God only for love, for he said, 13, 15, "Though He slay me, yet will I trust in Him"; but as לא is spelled with Aleph, though read as if spelled with Waw, it is still uncertain whether Job said, I shall wait for Him, or I shall not wait; as, however, he further said, 27, 5, "Till I die I will not put away mine integrity from me", it teaches that Job acted for love'. The proof of Job's love of God was his unshakable trust in Him not only in the days of his wealth, prosperity and well-being, but also amid his terrible sufferings; and he declared that even if these visitations, sent by God, should continue to his end and bring about his death, he will to his last day hold fast to his trust in God.[1] With all his pains to last to his death he will not give up his firm adhesion to the rules of a perfect conduct ordered by God, as he recognized Him and His precepts as true. The report in the Mishnah continues,[2] 'R. Joshua said, O that God removed the dust (of the grave) from thine eyes and opened them, R. Yoḥanan b. Zakkai! for throughout thy life thou didst interpret that Job had served God only for fear, as it says, Job 1, 1, "And that man was whole-hearted and upright, and one that feared God, and shunned evil", while (the disciple of) thy disciple, Joshua, deduces that Job acted for love'. This information, given by R. Yoḥanan's favourite disciple, R. Joshua b. Ḥananyah, views the numerous years of the master's public teaching in Jerusalem before the year 70, and his discussion with other teachers there of the religious attitude of Job as reflected in the book of Job. As no further direct information of that or any earlier period has been preserved concerning that difference of opinion, and as that problem presupposes the existence of the idea of man's love or fear of God as a religious motive for his service of God, a fuller analysis of the statement quoted is necessary.

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[1] Mekhil. Exod. 19, 1, 61 b top: וכן הוא אומר תחת אשר לא עבדת את ה׳ אלהיך (באהבה) ועבדת את איביך (בשנאה) תחת אשר לא עבדת את ה׳ אלהיך (בשובע ועבדת את איביך ברעב ובצמא ובעירום ובחסר כל, מאי בחסר כל (שניטלה דעת מהם).

[2] Sotah 5, 5: בו ביום דרש רבי יהושע בן הורקנוס לא עבד איוב את הקב״ה אלא מאהבה שנאמר הן יקטלני לא איחל, ועדיין הדבר שקול, לו אני מצפה או איני מצפה, תלמוד לומר עד אגוע לא אסיר תמתי ממני, מלמד שמאהבה עשה.

[3] When after R. Gamaliel's II deposition from the presidency of the central religious body of scholars in Jamnia the discussion of various undecided Halakhahs continued and evidence was heard in matters of disputes between the Shammaiites and the Hillelites; it was about the year 90, according to Halevy, דורות הראשונים, I, e, 168 a, in the year 84.

From the argument of R. Joshua b. Hyrkanos it is evident that he derived his proof from one half of a single verse of the book of Job; and as even the force of that part was impaired by the doubt as to the correct spelling and reading of the decisive word לא, he proved the positive connotation of it from a verse in another chapter in the book, where Job emphatically declared his firm resolution to adhere to his lifelong integrity to his end. But in the absence of R. Joshua's further comment on other contradictory statements of Job regarding his attitude to God, it is difficult to see, if Job's motive of action and of his conduct towards God was his love of Him, how his vehement outbursts against God on account of his sufferings were justified by R. Joshua b. Hyrkanos. For it may be taken for granted that he as well as R. Yoḥanan b. Zakkai before him examined the whole book of Job, and for the establishment of his religious motive paid attention, first of all, to the explicit statement of the recorder in Job 1, 1, that he was whole-hearted and upright and one that feared God and shunned evil, and secondly to God's own declaration to the same effect to Satan in 1, 8; 2, 3, and that in that respect Job had no equal on earth. The first two adjectives describe his conduct towards his fellow-men, and the other two his attitude to God and His will.[1] But as R. Joshua b. Hyrkanos referred neither to those two passages nor to God's further praise of Job in 42, 7. 8 as evidence that Job in his service of God was actuated by his love of Him, but looked for other proofs, none of the four adjectives seems to have been regarded by him as indicating such love of God. Further it follows that R. Joshua b. Hyrkanos either considered Job's vehement and almost blasphemous attacks on God's justice, manifested in his case, compatible with his love of God, or interpreted them in a way that removed their sting completely. How the latter method might possibly have been followed successfully, may be inferred from the few controversies between some older and younger contemporaries of R. Joshua b. Hyrkanos as to the meaning of some offensive statements of Job. R. Meir who attended the school of R. Akiba and was possibly present as a young student with R. Simeon b. Yoḥai at the deposal of R. Gamaliel II in Jamnia and at the subsequent discussion on Job's religious motive, adduced about fifty or sixty years later further evidence for Job's love of God. He said,[1] As 'fearing God' stated of Abraham in Gen. 22, 12 means for love, so 'fearing God' predicated of Job in 1, 1. 8; 2, 3, means for love. Accordingly, the fear of God did not denote the terror of Him and of His punishments, but the love of God: when Abraham, without any questioning and without hesitation, obeyed God's terrible order to sacrifice his son Isaac, he was animated by his love of God. As R. Meir takes it for granted and adduces no proof from Abraham's readiness to comply with the command that he was actuated by such love, and even infers from it Job's identical motive, Abraham's love of God must already have been established by R. Meir himself or by earlier teachers and was not controverted.[2] R. Meir refers to the same point again,[1] 'And thou shalt love the Lord thy God with all thine heart', Love Him with all thine heart as did our father Abraham, as it says, Gen. 18, 19, 'For I have known him, to the end that he may command his children and his household after him, that they may keep the way of the Lord, to do righteousness and justice'. Though here R. Meir does adduce a proof from a biblical statement referring to Abraham, it is not at all evident where his love of God is either explicitly stated or even only indicated in the words quoted. Possibly R. Meir's interpretation was based on this argument. In Job 1, 1, 'one that feared God, and shunned evil', the two adjectives in their juxtaposition suggest that the second explains the first, and that 'fearing God' manifested itself in man's refraining from doing evil, from transgressing the prohibitions of God in the Pentateuch. On the other hand, 'whole-hearted and upright' expressed itself in the practice of the positive commandments, especially of those that demanded justice, righteousness and fairness to one's fellow-man, and such practice was motived by man's love of God. As in accordance with God's order Abraham taught his children to keep the way of righteousness and justice, he, naturally, also himself practised those positive and comprehensive duties, consequently he was actuated by his perfect love of God.[2] Once this was established, it may

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[1] A similar idea is put into the mouth of the whole of Israel by R. Akiba in Mekhil. Exod. 15, 2, 37 a; Mekhil. R. Simeon, 60, in his interpretation of the difficult ואנוהו in Exod. 15, 2, 'I shall speak of the beauties of God and His praises before all the nations of the world; for the nations ask Israel with Cant. 5, 9, In what respect is thy Beloved greater than any other beloved, that thou dost thus adjure us? that ye ever die for Him and are put to death for Him, as it says, Cant. 1, 3, "Therefore do עלמות love Thee", they love Thee על מות, unto death, as it says, Psalm 44, 23, "Nay, but for Thy sake are we killed all the day?"' Bacher, Tannaiten, I, 285 ff.

[2] אמר רבי יהושע מי יגלה עפר מעיניך רבן יוחנן בן זכאי שהיית דורש כל ימיך שלא עבד איוב את המקום אלא מיראה שנאמר איש תם וישר וירא אלהים וסר מרע, והלא יהושע תלמיד תלמידך למד שמאהבה עשה.

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[1] See the interpretation of וסר מרע in ARN, II, 6 b, 'Job kept far away from anything that might lead to sin, and from anything hideous and whatever seemed hideous'.

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[1] Baraitha Sotah 31 a: תניא רבי מאיר אומר נאמר ירא אלהים באיוב ונאמר ירא אלהים באברהם מה ירא אלהים האמור באברהם מאהבה אף ירא אלהים האמור באיוב מאהבה. In Tos. Sotah 6, 1 the statement is attributed to Rabbi, but evidently the name Meir has fallen out; the wording there is: רבי אומר נאמר ירא אלהים באברהם ונאמר ירא אלהים באיוב מה להלן מאהבה אף כאן מאהבה, ושאר כל התרעומות האמורות בפרשה לא נאמרו אלא לענין המאורע. The words from ושאר to the end cannot be the continuation of R. Meir's statement, as Job 1 contains no reproaches against God. They may have been the continuation of R. Nathan's proof from Job 13, 16, the verse following immediately after that used as evidence by R. Joshua b. Hyrkanos; and as vv. 18–28 contain not only Job's protestations of his innocence, but also some very pointed questions addressed as reproaches to God, R. Nathan added that the remainder of the chapter was made up of complaints against God arising out of Job's sufferings. One of the editions has for the last word ממורא, for fear; but that is probably a copyist's deliberate improvement on the original difficult word which at the first stage of correction read מורע and was not intelligible to him.

[2] Jubil. 17, 18 has, 'And in everything wherein He had tried him, he was found faithful, and his soul was not impatient, and he was not slow to act; for he was faithful and a lover of the Lord'. Where did the author find all that information in the sources? See Roensch, Buch der Jubiläen, 295.

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[1] Sifré Deut. 6, 5, 32, 73 b bottom : רבי מאיר אומר הרי הוא אומר ואהבת את ה׳ אלהיך בכל לבבך, אוהבהו בכל לבבך כאברהם אבינו כענין שנאמר כי ידעתיו למען אשר יצוה את בניו ואת ביתו אחריו לכך נאמר ואהבת את ה׳ אלהיך בכל לבבך.

[2] But Yalkut on Deut. 6, 5 has in R. Meir's statement as the biblical proof Is. 41, 8 : זרע אברהם אהבי, 'Abraham who loved Me'; but it need hardly be said that the version in Sifré, as the more difficult, is the original, and that in Yalkut is an obvious substitute taken from the Talmud in Sotah 31 a, see Bacher, Tannaiten, II, 50, 1. Apoc. Ezra 3, 14 says of Abraham, 'Him Thou didst love, and unto him only didst Thou reveal the end of the times secretly by night'; the author took אהבי to mean: My friend, he whom I loved. So also in Sifré Num. 6, 26, 42, 12 b top, It says in Gen. 19, 21, 'And he said unto him, "See, I have accepted thee concerning this thing also", as I, God, have shown favour to Lot for the sake of Abraham My friend, would I not show favour to thee for thy

possibly have led to the explanation of 'fearing God' as meaning loving Him, though no trace of such an inference by R. Meir has been preserved. His colleague R. Nathan[1] proved Job's love of God from Job 13, 16, 'This also shall be my salvation, that a hypocrite cannot come before Him'; he seems to have inferred that Job was the reverse of a hypocrite, thoroughly genuine and deserving to come before God, because actuated by the love of Him in all his doings.

But already R. Meir's teacher R. Akiba discussed with his colleagues before the year 135 Job's character. In his last years, when an apostate, Elisha' b. Abuyah quoted[2] to his former disciple R. Meir R. Akiba's interpretation of Job 42, 12, 'So the Lord blessed the latter end of Job מראשיתו', 'On account of the merit of commandments fulfilled and good deeds done from his earlier days'. As he takes the good actions for granted, R. Akiba evidently inferred Job's

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sake and for the sake of thy fathers? That is the meaning of the words, "the Lord will show favour to thee".' In his commentary on Is. 41, 8 Marti points out that אהבי does not only mean 'who loves Me', but also 'My friend', 2 Chron. 20, 7, while LXX has 'whom I loved'. Testament Joseph 11, 1 has, 'For everyone who doeth the law of the Lord shall be loved by Him'; Benjamin 11, 2, 'And there shall rise up from my seed in the latter times one beloved of the Lord'; Deut. 33, 12, cf. 2 Sam. 12, 24. 25; Deut. 23, 6; 7, 13; Is. 43, 4; 48, 14; Mal. 1, 2; Jer. 31, 2, and Wisdom of Sol. 4, 10; 7, 27. The statements of the teachers of the second century are not free from ambiguity on the point. R. Joshua b. Karḥah in Mekhil. R. Simeon Exod. 6, 2, 5 top has אברהם אהבי, R. Yosé the Galilean in Mekhil. Exod. 15, 18, 44 a, different in Mekhil. R. Simeon Exod. 15, 19, 70, uses 2 Chron. 20, 7, and, as the epithets of Isaac and Jacob suggest, meant: whom God loved; see Schechter in J.Q.R. 7, 1895, 199, 4. In an anonymous statement in Mekhil. Exod. 13, 11, 22 a top God calls Abraham ידידי; cf. R. Samuel b. Naḥman's interpretation of Jer. 11, 15 in Threni rab. Prooem. 24; Bacher, Paläst. Amoräer, I, 522, and the Apocalypse of Abraham in J.Q.R. 7, 1895, 589.

[1] Tos. Sotah 6, 1; Yer. IV, 20 c, 38: משום רבי נתן אמרו גם הוא לי לישועה כי לא לפניו חנף יבא; Bacher, Tannaiten, II, 452.

[2] Yer. Ḥagig. II, 77 b, 29; Kohel. rab. 7, 8; Bacher, Tannaiten, I, 308: מראשיתו, בזכות מצות ומעשים טובים שהיה בידו מראשיתו. Kohel. r. has תשובה ומעשים טובים, but repentance was not so essential in his earlier years. Cf. Sifré zuta Num. 27, 1, 156 ff.

good deeds, which invariably denote actions of help and loving-kindness to the fellow-man, from his own statement in Job 31; where, however, is his observance of the commandments mentioned? And did the scholar, as his words imply, assume that Job was an Israelite who observed the commandments of the Torah faithfully? Or was he thought a man of pre-Israelitish time and of the type of Abraham of whom Gen. 26, 5 states that he kept God's charge, His commandments, His statutes and His laws? In contrasting the ways of the Gentiles[1] who, when a calamity befalls them, curse their gods, with the attitude of the Israelites who, in fortune and misfortune alike, should give recognition to God, R. Akiba quotes as illustrations of the latter David in Psalm 116, 13. 3, and Job in 1,21; 2, 10. The juxtaposition of the two as instances of pious men in Israel referred to in the preceding line proves that Job was in R. Akiba's view an Israelite; and the order in which the two names are cited suggests that Job lived after David, unless R. Akiba only followed in his references the order of the books within the Bible.[2] Again,[3] in interpreting Job 23, 13, 'But He is at one with Himself, and who can turn Him'? R. Pappos said, God judges by Himself all human beings, and there is no one in a position to argue with him; R. Akiba stopped him and explained Job's words thus, 'God judges men by Himself, but to nothing in His judgments is objection to be raised, as He judges all in truth and all in justice'. There can be no doubt that R. Pappos merely interpreted in a plain way Job's criticizing remark about God's alleged arbitrary procedure in passing judgment on man, and that this criticism was in consonance with other similar outbursts of Job throughout the book. Consequently, the explanation of R. Pappos needs no further justification, except the admission that he did not mind stating Job's blasphemies and possibly even agreed with them. On the other hand, R. Akiba not only did not approve of Job's strictures on God's alleged arbitrary justice, but was also manifestly determined to remove the blasphemies contained in Job's words. He, therefore, explained them away by reading into them just the reverse of the statements' real purport and thought, Job's recognition of God's perfect justice expressed, as the context shows, in punishments inflicted. Whether it was R. Akiba's avowed object to show that Job, the God-fearing man of 1, 1. 8; 2, 3; 42, 8, could not have possibly blasphemed God, or to remove on principle from the book of Job all blasphemies against God's justice, which might be, or were actually, used by some Jewish unbelievers, Gnostics, as supports for their attacks on the Bible, is difficult to say, as no further interpretations by R. Akiba of any of the other blasphemies of Job have been preserved. It seems very improbable that R. Pappos could have regarded Job as a man of great piety the motive of whose actions was the love of God; though, on the other hand, he could not have ignored the explicit references to his fear of God and to his righteousness expressly mentioned in Ezek. 14, 14. 20, along with Noah's and Daniel's. R. Akiba, on the other hand, might have considered Job a pious man who served God for the love of Him; and, on that account too, he did his utmost, first to remove from Job all traces of blasphemy in the face of the plain sense of the wording, and then even to demonstrate by his artificial interpretation that, though suffering so terribly at the hand of God, Job recognized His justice and His providence as perfect.

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[1] Mekhil. Exod. 20, 23, 72 b.

[2] Baraitha Baba bath. 14 b bottom.

[3] Mekhil. Exod. 14, 29, 33 a; Mekhil. R. Simeon, 54: דרש (רבי) פפוס והוא באחד ומי ישיבנו ונפשו אותה ויעש, דן יחידי לכל באי העולם ואין מי ישיב על דבריו, אמר לו רבי עקיבא . . אין להשיב על דברי מי שאמר והיה העולם אלא דן הכל באמת והכל בדין.

3. But that view of R. Akiba is apparently not in accord with another statement of his about Job,[1] 'The judgment

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[1] 'Eduy. 2, 10: משפט דור המבול שנים עשר חדש משפט איוב שנים עשר חדש משפט המצריים שנים עשר חדש משפט גוג ומגוג לעתיד לבא שנים עשר חדש משפט רשעים בגיהנם שנים עשר חדש . . .

of the generation of the flood, of Job and of the Egyptians lasted twelve months, and that of Gog and Magog in the Messianic times will last twelve months, and that of the sinners in Hell will last twelve months'. He uses here for Job's suffering the term משפט which in the other cases denotes the punishment deserved for their sins and grave offences by the persons and peoples enumerated, whereas Job 2, 5 explicitly states that all his visitations were inflicted by God on Job for the purpose of testing him. R. Akiba's view seems, therefore, to have been that, as Job at first stood the trial, God might have soon withdrawn the disease inflicted; but, when in 3, 1 he began to curse his birth, and continued with reproaches against God and even blasphemed, God sent upon him additional sufferings extending over twelve months as a punishment deserved.[1] From the order in which the persons included in the list are arranged it follows that, in R. Akiba's opinion, Job lived after the flood and before the Pharaoh of the Exodus, or was his contemporary. As, on the other hand, R. Akiba[2] proved in a public exposition and by various interpretations of Job 32, 2 that Elihu, the fourth friend of Job, was identical with Bala'am, while, in strongly protesting against that view, R. Eleazar b. 'Azaryah identified Elihu with Isaac, Job was according to the first opinion not only no Israelite, but not even a member of the family of the patriarchs, and was a contemporary of Moses. R. Akiba's colleague, R. Ishmael, held[3] that Job was one of Pharaoh's servants and one of the highest members of his staff at the time of the plague of hail in Exod. 9, 20. On this view R. Simai based the statement[1] that Pharaoh had three counsellors, when he decreed his oppressive measures against the Israelites, Bala'am, Job and Jethrō; Bala'am who advised him to issue the decrees was later killed, Job for keeping silence was punished by visitations, while Jethrō escaped from Egypt, for which action his descendants merited to become members of the Synhedrion in the chamber of hewn stones. And R. Yosé b. Ḥalaftha adds[2] that Job was born at the time when the Israelites went down into Egypt, and died when they went out. Also the anonymous Baraitha,[3] 'Moses wrote his book, the section of Bala'am, and Job', though it did not identify Job with Bala'am, regarded him as a contemporary of Moses. For the latter wrote the book of Job, and he is mentioned in the Baraitha after Bala'am who blessed Israel in the fortieth year of its wanderings through the desert and after its arrival in the plains of Moab, and who was killed soon after in the lifetime of Moses, Num. 31, 8. R. Akiba's teachers, R. Eliezer and R. Joshua, differed about the meaning of Job's offensive declaration, 9, 24, 'The earth hath been given into the hand of the wicked'; when R. Eliezer said, Job sought to turn the dish upside down, R. Joshua said to him that Job by those words only referred to Satan (that God has given over the earth to Satan).[4] As in the

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[1] See further, p. 165 ff., R. Akiba's statement in Semaḥ. VIII about Job who, when smitten by God, kicked. Bacher, Tannaiten, I, 329, in fact points to the parallel in Seder 'Olam III, where משפט is only applied to the last two cases in the list. The order of them, however, is there different: Egypt, Job, Gog and Magog, Hell and flood. But the changed sequence proves nothing for R. Akiba's view as to the date when Job lived, as the flood is strangely put last; this, however, proves that the list was not arranged chronologically, but on some other principle which is not evident.

[2] Yer. Sotah V, 20 d, 17-21: דרש רבי עקיבה

[3] Yer. Sotah V, 20 c, 73: תני רבי ישמעאל איוב מעבדי פרעה היה ומגדולי פמיקייא שלו הדא הוא דכתיב הירא את דבר ה׳ וגו׳ וכתיב ביה איש

תם וישר וירא אלהים וסר מרע. This is by R. Ishmael himself, not, as Bacher, Tannaiten, II, 345 registers it, by his school.

[1] About the years 200-220, in Synh. 106 a; Sotah 11 a: אמר רבי חייא בר אבא אמר רבי סימאי שלשה היו באותה עצה אלו הן בלעם איוב ויתרו, בלעם שיעץ נהרג איוב ששתק נידון ביסורין ויתרו שברח זכו בני בניו לישב בלשכת הגזית . .; Bacher, Tannaiten, II, 545, and Buber's מדרש אלה הדברים זוטא, 12.

[2] Yer. Sotah V, 20 c, 70; Seder 'Olam, III; Bacher, Tannaiten II, 180, 7; cf. Gen. r. 57, 4; Baraitha Baba bath. 15 a ff.; Mekhil. R. Simeon Exod. 12, 40, 27.

[3] Baba bath. 14 b: משה כתב ספרו ופרשת בלעם ואיוב

[4] Baraitha Baba bath. 16 a: כתנאי, ארץ נתנה ביד רשע, רבי אליעזר אומר בקש איוב להפוך קערה על פיה, אמר לו רבי יהושע לא דבר איוב אלא

dispute between R. Pappos and R. Akiba, so here the difference between R. Eliezer and R. Joshua seems to be that R. Eliezer follows the plain meaning of the words and shows how Job blasphemed God and His providence, while R. Joshua, by a less natural interpretation, removes the grossness of the abuse. And it appears that in R. Eliezer's view Job could not have been a man whose service of God rested on his love of Him, while R. Joshua seems to have regarded him as free not only from the grave sin of blasphemy, but also from all blame, and as attached to God in all his actions.

Besides R. Joshua b. Hyrkanos only one other teacher of that period proved explicitly Job's love of God from one of his statements,[1] 'R. Joshua in the name of ben-Paturi says, The fact that Job swore by the life of God, 27, 2, proves that he loved God'. But what are the contents of the statements themselves which Job supported, and so solemnly confirmed, by that oath? 'As God liveth, who hath taken away my right, and the Almighty, who hath dealt bitterly with me'; but as here he accuses God of having done him a great wrong, which is a blasphemous assertion, how could he have been actuated in the manifestations of his service of God, his deeds and words, by the love of God? The only way out of this real difficulty is that just as R. Akiba against R. Pappos, and R. Joshua against R. Eliezer, so ben-Paturi, interpreted the blasphemous words in some artificial way, so that no abuse of God was left, and perhaps even turned

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כלפי שטן. Rashi explains R. Eliezer's statement by לעקור כל כבוד שחירף וגידף, He sought to uproot all honour due to God, for he blasphemed. Bacher, Tannaiten, I, 150, 1 notes that R. Joshua interpreted רשע in the verse to mean Satan, as Targum on Is. 11, 4.

[1] Tos. Sotah 6, 1: רבי יהושע אומר משום בן פטורי הרי הוא אומר חי אל הסיר משפטי ושדי המר נפשי, מלמד שאין אדם נודר בחיי המלך אלא אם כן אוהב את המלך; in Yer. Sotah V, 20 c, 36: תני בשם רבי יהודה, which name is probably the result of an erroneous reading of the abbreviation ר״י as R. Yehudah instead of R. Joshua. Bacher, Tannaiten, I, 61, 2, suggests that R. Joshua here is R. Joshua b. Hyrkanos who quoted the statement of the earlier teacher as another proof for his own view.

the verse into a recognition of His perfect justice by Job. Unfortunately, the relevant interpretation of the verse by ben-Paturi has not been preserved. And also the proof of R. Joshua b. Hyrkanos from Job 13, 15 and 27, 5 ignores the context of the verses adduced by him. For 27, 5, while preceded by v. 2, which formed ben-Paturi's evidence just discussed, with a different import as a whole reads 'Far be it from me that I should justify you; till I die I will not put away mine integrity from me'; and the second half of the verse can only be the continuation of the thought expressed in the first: Job will ever adhere to his honest conviction that the confident assumptions of his friends as to his character and their accusations against him are unfounded and untrue. In this sense the verse constitutes no support for R. Joshua b. Hyrkanos's view; for, as stated above, he evidently took it to be a solemn declaration of Job's determination to adhere to his piety to the end of his life, whatever happens to him. And 13, 15 states, 'Though He slay me, yet will I trust in Him; but I will argue my ways before Him';[1] not only does the last sentence not declare his submission to God's judgment and to the Master and just Judge of man, but, as v. 13 prepares us to expect, Job's words imply a doubt of His justification for treating him so unfairly, and even an insolent provocation. The plain sense of the verse cogently proves that at the time when he uttered those offensive words, Job's guide was not the love of God; for, if that had been the motive of his thoughts and actions, it would have surely prevented him from harbouring such sentiments and from giving unchecked vent to them.

R. Yoḥanan b. Zakkai who held the view that Job had served God for the fear of Him, as also his disciple R. Eliezer, and R. Pappos, had, naturally, read Job's bitter speeches, his outbursts against God's justice and his rebellious blasphemies; and as all the three seem to have taken them in their plain meaning, they were unable to accept the view that he had served God for the love of Him. R. Yoḥanan b. Zakkai maintained that opinion against an unnamed opponent who, like his disciple R. Joshua b. Ḥananyah, ben-Paturi and R. Akiba, probably not only explained away the reproach of blasphemy, but, by a method of interpretation far from natural and simple, also read the directly opposite sense into the words.[1] From the fact that R. Eliezer and R. Joshua differed on the question it might be inferred that the problem formed the subject of a dispute between their respective schools, the Shammaiites and the Hillelites, and that, consequently, R. Yoḥanan b. Zakkai in his stricter view of Job's religious motive followed the Shammaiites. As this his opinion of Job had always appeared strange to his disciple R. Joshua, he rejoiced, when he heard R. Joshua b. Hyrkanos publicly state that Job had served God for his love of Him, and he exclaimed, O that thou, R. Yoḥanan, couldst rise from thy grave and hear the deduction of (the disciple of) thy disciple in favour of Job's love of God, and—so it might be supplied—go back on thy Shammaiite opinion and accept that of the Hillelites! But there is certainly no evidence of any kind, nor any reasonable argument, to support the assumption of Holdheim[2] that, as R. Yoḥanan b. Zakkai fought the Sadducees with determination in general, his view that Job had served God for the fear of Him and not for the love of God, was also directed against the Sadducees who held that Job's religious motive was his love of God, as the fear of Him denoted that. Against that assumption should be advanced the consideration that, as the Sadducees interpreted the Pentateuch literally, they almost certainly would have followed also in regard to Job's religious standpoint the plain meaning of the biblical statement in Job 1, 1. 8; 2, 3, that he was God-fearing. And though it is true that the adjective God-fearing denotes in the Bible the highest degree of piety, e.g. in Psalm 103, 11. 13. 17, there is no evidence that the Sadducees had at any time advanced to a clearer insight into the love of God as a higher, purer and stronger religious motive of the God-fearing man, and to the conception of the yet higher type of piety inspired by the love of God. The only probable connexion between the interpretation of the book of Job and the Sadducees was suggested by Nehemias Brüll[1]. He referred to the early account,[2] 'R. Yosé said, "When once my father Ḥalaftha went to see R. Gamaliel in Tiberias and found him sitting at the table of Yoḥanan הנזוף and holding the Targum of the book of Job and reading therein, my father said to him, I remember when once thy father's father, R. Gamaliel, was standing on the stairs on the Temple Mount and they brought to him the Targum of the book of Job, he said to a builder, Sink it under a layer of building stones"; then also R. Gamaliel [II] commanded, and it was hidden'. All the details referred to in connexion with Gamaliel the grandson definitely point to R. Gamaliel II who, at the time when R. Ḥalaftha lived in Galilee, passed with other scholars through that province and stayed in Tiberias;[3] his grandfather was R. Gamaliel I in Jerusalem between the years 30 and 60. On general considerations and from the incident just quoted Dr. Brüll tried to prove that the book of Job must have been referred to frequently by the Sadducees in support of their opposition to the Pharisaic doctrines of the immortality of the soul and the retribution of deeds after man's death, as Job explicitly denied both those beliefs, and that, on account of that attitude of the author of Job, the Rabbis of the middle of the first century objected to the circulation of a translation among the people in Jerusalem.[1]

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[1] אל פניו is a much stronger expression than the translation suggests; it means: to His face; see the commentators.

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[1] In Kiddush. 40 b, cf. ARN, XXXIX, 60 a; Aggad. Genes. LXI, 121, evidently a Baraitha, though not marked as such, R. Eleazar b. R. Ṣadok says, 'God brings chastisements upon the righteous men in this world in order that they may inherit the world-to-come, as it says, Job 8, 7, And though thy beginning was small, yet thy latter end shall greatly increase'. From his reference to Job, though the statement is in the context conditional, it seems that he regarded Job as a righteous man, perhaps an Israelite, and his sufferings as a punishment for a few not grave sins to be cleansed away, just as R. Akiba spoke of Job's judgment of twelve months.

[2] מאמר האישות, 98.

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[1] In בית תלמוד 4, 1885, 42 ff.

[2] Baraitha Shabb. 115 a; Tos. 13, 2; Yer. XVI, 15 c, 5.

[3] 'Erub. 10, 10.

If this suggestion of Dr. Brüll has any foundation, it would naturally follow that in the opinion of all the contending parties Job was a Jew, as otherwise the Pharisees could have met the proof from Job's denial of the retribution to the soul after man's death by the plea that he was not a Jew and his beliefs were of no consequence. The language of the book and its presence in the Canon, and God's interest in Job would not prove cogently that he was an Israelite, as the inclusion of Num. 22–24 about Bala'am the Gentile conclusively showed. When on the death of his son his five disciples went to comfort R. Yoḥanan b. Zakkai,[2] and four of them referred in succession to various men in the Bible, Adam, Job, Aaron and David, all of whom had lost a son and accepted consolation, the master refused to accept their solace. As R. Joshua spoke second to R. Yoḥanan, at least in the present form of the record, Professor Schlatter[3] confidently remarked that, in accordance with the Greek Theologumenon stated in a fragment of the genuine Aristeas and perhaps going back to Demetrios, R. Joshua accepted the identification of Job with Jobab in Gen. 36, 33. But, as was suggested above, the fact that Job is mentioned before Aaron merely proves that he lived not later than Aaron, but may have even been his contemporary and a pious non-Israelite. Without any further remark this is assumed in two Baraithas, one quoted by R. Ḥiyya about the year 200,[4] 'God said, I had in My world a righteous Gentile and I gave him (while on earth) his reward and discharged him from My world'; and the other, an anonymous parallel,[1] 'There was a pious Gentile, Job by name, who came into the world only to receive his reward; when God brought chastisements upon him and he began to revile and to blaspheme, God doubled his reward in this world in order to drive him out from the world-to-come'. The statements are of interest from various points of view; Job was a Gentile, but a righteous or even a pious one, according to the generally accepted view of the scholars based on the biblical description. For his piety God rewarded him while on earth, as Job 1 reports the many and varied blessings showered upon him. The sudden change of fortune, grievous bereavements and great physical suffering led him to blaspheme God. But, as even that grave sin did not wipe out his numerous merits, God doubled on earth the reward still due to him and originally reserved to be paid to him after his death, just as in the case of Jewish sinners with some merits; and so he lost all claim to a share in the world-to-come, while punishment awaited him for his blasphemies.[2]

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[1] If the translation was to be understood generally, it could only have been in Aramaic, and not in Greek, as Grätz in MGWJ, 26, 1877, 84 ff. assumes; see the introductions to the commentaries on Job.

[2] ARN, XIV, 29 b ff.

[3] Jochanan b. Zakkai 22 ff.

[4] Yer. Sotah V, 20 d, 11: תני רבי חייה היה לי בעולמי גוי אחד צדיק ונתתי לו שכרו ופטרתיו מעולמי.

Against those Baraithas other just as early statements can be adduced for the view of some scholars that Job was not a Gentile. So the Baraitha cited before,[3] 'Moses wrote his own book, the section about Bala'am and the book of Job'; while Bala'am is explicitly described in Num. 22, 5 and Deut. 23, 5 as a non-Israelite, so that there was no need of stating it in the Baraitha, nothing of that purport is indicated in Job 1, 1. We should certainly have expected in the Baraitha some hint, if the author regarded him as an Edomite or Aramaean, especially as Moses is said to have written the whole book of Job, and as it has been included in the Canon. Added to this, the early Mishnah describing the preparations of the high priest for his service on the Day of Atonement, under the supervision of the Pharisee authorities in the last decade before the year 70, reports that among other Hagiographa the book of Job was read to the high priest during the night of the Day of Atonement[1] to drive away his sleep. And the further consideration that R. Yoḥanan b. Zakkai and his colleagues, and after him his disciples, discussed the question whether Job had served God for the fear or the love of God, makes it certain that those teachers of the first century regarded Job either as an Israelite or as a member of the family of the patriarchs.[2] As, unfortunately, no statement about Job of a date earlier than that of R. Yoḥanan b. Zakkai has been preserved in the Rabbinic literature, not even one by the Shammaiites and the Hillelites, it is difficult to say whether the view that Job was a Gentile was already expressed in Temple times. If it is not a coincidence that no earlier statement has come down on the subject, it would seem probable that the discussion about Job's personality and his religious motive arose only in the days of R. Yoḥanan b. Zakkai. It originated either in connexion with the inclusion of the book in the Canon among the Hagiographa, when the various schools advanced divergent opinions about the hero of the book, or, as Dr. Brüll on the withdrawal of its translation suggests, in conjunction with the disputes between the Pharisees and the Sadducees about the biblical basis of the immortality of the soul and the retribution after death.[1]

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[1] Baba bath. 15 b: מיתיבי חסיד היה באומות העולם ואיוב שמו ולא בא לעולם אלא כדי לקבל שכרו, הביא הקב"ה עליו יסורין התחיל מחרף מגדף כפל לו הקב"ה שכרו בעולם הזה כדי לטרדו מן העולם הבא.

[2] So it was not specially the Apocalypse of Abraham (J.Q.R. 7, 1895, 589 ff.) where Michael says to God, 'There is none like Abraham on earth, except Job, the marvellous man', that praised Job as pious; and Dr. Kohler's remark which points to a very early conception *intentionally* refuted in the Talmud and the Midrash all of which place Job beneath Abraham, needs considerable qualification.

[3] Baba bath. 14 b: משה כתב ספרו ופרשת בלעם ואיוב, Yer. Sotah V, 20 d, 25: משה כתב חמשה ספרי תורה וחזר וכתב פרשת בלק ובלעם וכתב ספרו של איוב.

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[1] Yoma I, 6: אם היה חכם דורש ואם לאו תלמידי חכמים דורשין לפניו ואם רגיל לקרות קורא ואם לאו קורין לפניו, ובמה קורין לפניו באיוב ובעזרא ובדברי הימים, זכריה בן קבוטל אומר פעמים הרבה קריתי לפניו בדניאל, but not mentioned in Yer. I, 39 b, 14, which is entirely different: תני במשלי ובתילים מפני שטעמן מפיג את השינה.

[2] In 2 ARN, II, 5 a: רבי יהודה בן בתירא אומר דורש היה איוב בינו ובין עצמו, ומה חלק אלוה ממעל ונחלת שדי ממרומים, אילו היה ראוי לאדם הראשון להנתן לו עשרה נשים היה נותן לו ולא היה ראוי להנתן לו אלא אשה אחת בלבד אף אני די אשתי די חלקי, the argument in favour of monogamy put into Job's mouth in 31, 2 by R. Yehudah b. Bethera before the year 136 seems to confirm the view that he also regarded Job as an Israelite. See Blau, Jüdische Ehescheidung, I, 56.

4. When R. Joshua b. Ḥananyah stated that his master R. Yoḥanan b. Zakkai had throughout his life deduced from the Bible and publicly taught that Job had served God only for the fear of Him, he suggested thereby that the distinction between the fear and the love of God as motives of His service was taught in Jerusalem already in the days of his teacher. What did the service of God for the fear of Him imply? For, as mentioned above, it is hardly necessary to point out that in all parts of the Bible the term fear of God denoted the highest degree of piety.[2] So in Mal. 2, 5 God says of the priest, 'My covenant was with him of life and peace, and I gave them to him, and of fear, and he feared Me, and was afraid[3] of My name. (1, 6) A son honoureth his father, and a servant his master; if then I be a father, where is My honour? and if I be a master, where is My fear?[4] (3, 16) Then they that feared the Lord spoke one with another; and the Lord hearkened, and heard, and a book of remembrance was written before Him, for them that feared the Lord, and that thought upon His name'.

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[1] That Sirach 49, 9 did mention Job among the famous men of Israel, as the Hebrew text has it, but the grandson of the author did so gravely misunderstand the original Hebrew wording as not to recognize the name איוב and to read it as אויב : *καὶ γὰρ ἐμνήσθη τῶν ἐχθρῶν ἐν ὄμβρῳ, καὶ ἀγαθῶσαι τοὺς εὐθύνοντας ὁδούς*, is hardly credible. See Smend's arguments.

[2] See Büchler in J.Q R. 13, 1923, 327–33; Schmiedel in בית תלמוד 1, 1882, 245 on Tanḥ. מטות 1.

[3] Hardly correctly rendered, as it means reverence, not fear.

[4] Though the slave was, no doubt, subject to severe punishment and chastisement, as evident specially from Sirach, and so undoubtedly feared his master, ירא expresses fear tempered by reverence, cf. Lev. 19, 3, 'Ye shall fear every man his mother, and his father', corresponding with 'Honour thy father and thy mother', Exod. 20, 12.

As the exemplary attitude of the good and obedient priest to God is summed up in the fear of God, so in the third passage the Israelite who was attached to his God and walked in accordance with His will was termed a man fearing God. The same characterization continued in use in the days of Sirach,[1] as a number of statements in his book shows, and also one of the unknown lines preserved in the Talmud,[2] 'A good wife is a good gift, she will be placed in the bosom of the God-fearing'. In the warning, 'Let the fear of Heaven be upon you', Abōth 1, 3, his contemporary, Antigonos of Sokhō, in using the term of Mal. 2, 5; 1, 6, was probably thinking of the authority of God imposed upon the Israelite,[3] and was followed therein by R. Yoḥanan b. Zakkai. When in his illness his disciples visited him and asked him to bless them, he said,[4] 'May it be the will of God that His fear be upon you as is the fear of man!' When the disciples said, Is that all? he added, 'I wish you to consider that, when a man commits a sin, he says, No man must see me!' As the illustration describes the fear of God as the fear of being seen and of the consequent punishment by God, the statement of R. Yoḥanan b. Zakkai about the peculiarly different punishments of the thief and the robber should be remembered, 'for the thief paid greater honour to the servant than to his Master'. As he is afraid of man, he steals in the dark, but ignores God who sees everything;[5] here it is not the ordinary fear of punishment, but the respect due to God, that is emphasized. This is specially clear from the warning of Eleazar b. Shammuʿa in the middle of the second century,[1] 'And the fear of thy master be like the fear of Heaven'. Here no ordinary fear, but true reverence for the teacher is inculcated, as it is preceded by the warning, 'And the honour of thy associate be like the fear of thy master'; and the fear is a deepening of respect into reverence, exactly as in the parallel injunctions 'Honour thy father and thy mother', and 'Ye shall fear every man his mother and his father'. The verb occurs frequently in the Psalms of Solomon, composed in the year 63 B.C.E., and those who fear God not only refrain from sinning, but are the pious men of Jerusalem. And in the account of Hippolytus[2] about the oath taken by the Essenes on their admission into the brotherhood it is stated, 'They swear to fear God and to practise righteousness towards men'. Here also it denotes refraining from sin in obedience to the commandments of God. In order to avoid the use of God's name, even 'Heaven', already Hillel, and after him his disciple R. Yoḥanan b. Zakkai and his contemporaries preferred for the term God-fearing that of ירא חטא, and for the fear of God the fear of sin.[3]

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[1] See Büchler in J.Q.R. 13, 1923, 327-33; Montefiore, Hibbert Lectures, 541; Schechter, Some aspects, 72.

[2] Synh. 100 b: אשה טובה מתנה טובה בחיק ירא אלהים תנתן אשה רעה צרעת לבעלה. See Schechter in J.Q.R. III, 1891, 691 ff.

[3] Cf. Gen. 9, 2, 'And the fear of you and the dread of you shall be upon every beast of the earth'.

[4] Baraitha Berakh. 28 b: יהי רצון שתהא מורא שמים עליכם כמורא בשר ודם, אמרו לו תלמידיו עד כאן, אמר להם ולואי תדעו כשאדם עובר עבירה אומר שלא יראני אדם.

[5] Tos. Baba kam. 7, 2 and parallels; see above, p. 110.

Just as the noun מורא, so the verb denoted in Rabbinic statements of the first century not fear, but reverence of, and attachment to, God. So Simeon of Emmaus (?),[4] or Neḥemiah of Emmaus interpreted every אֶת, the nota accusativi, in the Torah, but when he reached Deut. 10, 20, 'Thou shalt fear the Lord thy God', he withdrew from applying that method; when R. Akiba came, he interpreted the particle as adding: thou shalt fear also the scholars, or also His Torah. It is clear that fear in its ordinary connotation could not have applied in those words of inclusion to the scholars, and even less so to the Torah, but only honour and reverence. And as in applying the method of inclusion in which his master had instructed him for a number of years, R. Akiba merely extended the duty to fear the Lord to the Torah or the scholars, he evidently understood that commandment itself to mean not fear, but reverence. Also the contemporary Apoc. Baruch 14, 5, 'What have they profited who confessed before Thee, and have not walked in vanity as the rest of the nations, and have not said to the dead, Give us life, but always feared Thee, and have not left Thy ways?' used the fear of God in that sense, as the sentence immediately following explains it: we have not forsaken the commandments, because we honoured and worshipped God and not the idols of the nations. The contrast between praying to figures and worshipping many gods on the one hand and the fear of God on the other excludes the literal sense of the word, and demands a meaning corresponding with the first two forms of heathen service. Similarly in 54, 4, 'Who revealeth to those who fear Him what is prepared for them, that He may thereby console them', the righteous and pious men are intended, as also several Rabbinic statements express the same idea in Gen. rab. 62, 2. And R. Simeon b. Yoḥai says[1] that the appreciation of the scholar at his interment should be based on his learning and his fear (of God), which undoubtedly means his conduct guided by his piety. Also when, in interpreting Is. 33, 6,

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[1] Abōth 4, 12: וכבוד חברך כמורא רבך ומורא רבך כמורא שמים

[2] Refutatio haeres. IX, 23.

[3] See Büchler, Types of Jewish Piety, 25-33; cf. Josephus, Antiquit. 3, 15, 3, 321.

[4] Baraitha Pesaḥ. 22 b; Tos. Shebu'ōth 1, 7: תניא שמעון העמסוני ואמרי לה נחמיה העמסוני היה דורש כל אתים שבתורה, כיון שהגיע לאת ה׳ אלהיך תירא פירש . . . עד שבא רבי עקיבא ודרש את ה׳ אלהיך תירא לרבות תלמידי חכמים, Yer. Berakh. IX, 14 b, 68: נחמיה עימסוני שימש את רבי עקיבא עשרים ושתים שנה ולמדו אתים וגמים רבויין אכין ורקין מיעוטין, אמר לו מה הוא ההן דכתיב את ה׳ אלהיך תירא, אמר לו אותו ואת תורתו. Bacher, Tannaiten, I, 58, 4 shows that in Yer. the names of the master and the disciple were interchanged.

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[1] Preserved from a second recension of Semaḥōth by ibn Gayyat, שערי שמחה II, 40; see N. Brüll, Jahrbücher, 1, 1874, 17: רבי שמעון אומר תינוק שבא לכלל זכות וחובה תולין לו במעשיו ואם לאו תולין לו במעשה אבותיו, והאשה תולין לה במעשה אבותיה או במעשה בעלה, וחכם תולין לו בחכמתו וביראתו. Cf. Midr. Tannaim Deut. 6, 20, 260: ויצונו ה׳ לעשות את כל החקים האלה, מגיד שלא ניתנו המצות אלא ליראה את ה׳ שנאמר ליראה את ה׳ אלהינו.

'And the fear of the Lord which is His treasure', he said,[1] 'God has in His treasury only the store of the fear of Heaven', he referred to man's piety permeating his life and shaping his actions. It might then appear possible that R. Yoḥanan b. Zakkai originally understood Job 1, 1. 8; 2, 3, where Job is described as a God-fearing man, to mean the highest degree of piety. But apart from the remark of R. Joshua b. Ḥananyah who contrasted R. Yoḥanan's statement about Job's fear of God as his motive for serving Him with that of R. Joshua b. Hyrkanos about Job's service of God for the love of Him, R. Yoḥanan must have noticed that those who obey God's will are termed in Exod. 20, 6; Deut. 5, 10; 7, 9 לאוהבי ולשומרי מצותי, 'those who love Me and keep My commandments'; and the question is whether in his interpretation of the Decalogue he distinguished in connexion with the observance of the commandments between him who feared and him who loved God. Again, in the paragraph in Deut. 6, 4–8, which since an early date, and undoubtedly already in his days, was recited not only by the priests officiating at the daily morning sacrifice in the Temple, but also by the worshipper in his daily Prayer morning and evening, v. 5 commanded every Israelite, 'And thou shalt love the Lord thy God with all thy heart and with all thy soul and with all thy might'; and so also Deut. 11, 13, 'to love the Lord your God and to serve Him with all your heart and with all your soul', and again 11, 22; 19, 9; 30, 6. 16. 20. And specially is to be noted Deut. 10, 12, 'And now, Israel, what doth the Lord thy God require of thee, but to fear the Lord thy God, to walk in all His ways, and to love Him, and to serve the Lord thy God with all thy heart and with all thy soul'. Both, the fear of the Lord and the love of the Lord are commanded in the same verse as two distinct obligations, and, in addition, the duty to serve Him is prescribed here and in 11, 13 next to the injunction to love Him. It would appear very improbable that R. Yoḥanan b. Zakkai should not have been struck by the two distinct duties; so that, when his disciple R. Joshua b. Ḥananyah stated that, unlike R. Joshua b. Hyrkanos, R. Yoḥanan had taught throughout his life that Job had served God only for the fear of Him, R. Yoḥanan had distinguished between the fear and the love of God. And as in his statement R. Joshua b. Ḥananyah used the words, 'Job had served God *only* for the fear of Him', it is evident that the service for love was superior to that for fear; but what was it that constituted the distinctive feature of the service of God for the love of Him?

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[1] Berakh. 33 b bottom; cf. the statement of R. Eleazar b. R. Simeon in Shabb. 31 b.

In four instances, as stated, the commandment to love God is emphasized by the addition of 'with all thy heart and with all thy soul', Deut. 6, 5; 10, 12; 11, 13; 6, 30; in the third with the characteristic supplement, 'to love the Lord your God and to *serve* Him with all your heart and all your soul', as also in the second, 'and to love Him, and to *serve* the Lord thy God with all thy heart and with all thy soul'. In other passages the duty to love Him is supplemented and explained by more definite obligations; so in Deut. 11, 22, 'to love the Lord your God, to walk in all His ways, and to cleave to Him', in 19, 9, 'to love the Lord thy God, and to walk in His ways all the days', in 30, 16, 'to love the Lord thy God, to walk in His ways, and to keep His commandments and His statutes and His judgments', and in 30, 20, 'to love the Lord thy God, to hearken to His voice, and to cleave unto Him', and in the similar, though shorter form in the Decalogue, Exod. 20, 6; Deut. 5, 10, 'to them that love Me and keep My commandments'. All these almost identical injunctions tend to imply that to love God means faithful and undivided adherence to God and the whole-hearted worship of Him alone as against the serving of other gods, and to walk in His ways and to keep His commandments. But as the connotation of the term may have changed in post-biblical times, all available information should be consulted. An examination of Sirach has led to the conclusion[1] that in 2, 15. 16; 34, 14–16 = 31, 16–19; 1, 28; 19, 24; 23, 27, the fear of God refers in the first instance to obedience to the prohibitions in the Pentateuch and to its laws in general, including the positive commandments; and that in 32, 14=35, 14; 2, 1–11 he extended the fear of God to the duty of accepting in humility all afflictions sent by God. On the other hand, the reference in 2, 15 to the observance of the ways of God by those who love Him, compared with some biblical statements on the ways of God, as Gen. 18, 19; Jer. 5, 5. 1, directs the love of God in man to the duties to the fellow-man.[2] In the Psalms of Solomon the distinction between those who fear, and those who love, God is hardly more definite. Of the various references to those who love God, 14, 1 describes them as men 'who abide His chastening, who walk in the righteousness of His commandments, in the law as He commanded us for life'. But even if we add the observance of social morality, the material in the Psalms is hardly sufficient for a clear definition of one who would appear superior in piety to the God-fearing.[3] In the

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[1] Büchler in J.Q.R. 13, 1923, 326 ff.

[2] See above, p. 70, and Montefiore, Hibbert Lectures, 541.

[3] Philo in Quod omnis probus liber, 12, 83 = M. II, 458, says of the Essenes, 'They test all things by this threefold rule: whether they are in accord with the love of God, with the love for virtue, and with the love for men'. Josephus, Antiquit. 3, 15, 3, 317, proves the unbroken restraining influence of the laws of Moses upon later generations by their obedience to the commandments; and his arguments and proofs are all based on instances of actual refraining from transgressing prohibitions. His last illustration is the conduct of the priests who were on duty during the terrible famine in the days of the emperor Claudius and of the high-priest Ishmael, 'Not one of the priests was so hardy as to eat one loaf of it, even while so great a distress was on the land; and this out of a dread of the law, and of that wrath which God retains against acts of wickedness, even when no one can accuse the actors'. Note that their obedience to prohibitions in the Torah was due to their fear of punishments by God and to reverence for the Torah. Cf. the proof of R. Ishmael for the date of Job as a minister of Pharaoh during the ten plagues in Yer. Sotah V, 20 c, 73; Exod. r. 12, 2 quoted above, p. 131, based on Exod. 9, 20, 'He that feared the word of the Lord', and Job 1, 1, 'one that feared God'; to fear God and to fear God's word, are taken to be the same.

Testaments of the twelve Patriarchs three references to the duty to love God are very instructive, Issachar 5, 2, 'Love the Lord and your neighbour, have compassion on the poor and weak; 7, 6, I loved the Lord, likewise also every man with all my heart, and Dan 5, 3, Love the Lord through all your life, and one another with a true heart'. The coupling of the two obligations in one sentence and with one verb rightly suggested to Dr. Charles and to the commentators of the New Testament a close connexion between the two duties, the second following as a moral corollary from the first. As, however, neither the country where the Testaments were composed, nor the approximate date of their composition is known, any inference as to the relation between the schools in Jerusalem and those lofty principles in the Testaments must be regarded as doubtful. But the parallel in Luke 10, 25 is well known, and is quoted here for the consideration of one important fact only. (25) 'And, behold, a teacher of the Law came forward and tempted him, saying, Master, what must I do to inherit eternal life? (26) He said unto him, What is written in the Law? how readest thou? (27) And he answered and said, Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy strength, and with all thy mind; and thy neighbour as thyself. (28) And he said unto him, Thou hast answered right: this do, and thou shalt live.'[1] According to the answer of the scholar, the coupling of the two commandments was familiar in the schools and seems to have formed there a part of the teaching of the scribes. Consequently, the love of God was not only interpreted by them, but, as it was also applied in practice specially to the love of one's fellow-man, it was also humanized and, as a consequence of that application, was, to some extent, limited to the rather comprehensive duties in relation to the neighbour.

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[1] Shorter in Matth. 22, 35-40; Mark 12, 28-34; Charles, Testaments, XCV; Montefiore, The Synoptic Gospels, 2nd edition, I, 285; Abrahams, Studies, I, 18-29; Köberle, Sünde und Gnade, 229 ff.

Instructive is the classification of the Pharisees by the early Baraitha,[1] 'There are of the Pharisees seven kinds: two of them are the Pharisee for the love of God and the Pharisee for the fear of God'. As the destruction of Jerusalem put a sudden end to the Pharisese as a body and a party, it shows that already in Temple times in which alone that statement could have originated, that is, during the activities of R. Yoḥanan b. Zakkai in Jerusalem before the year 70, the distinction between the two religious motives of action was not only theoretically made, but was also applied to the Pharisees. Even without the illustration given in the wording in the Palestinian Talmud,[2] 'A Pharisee for fear like Job, a Pharisee for love like Abraham, and of all of them none is more beloved than the Pharisee for love like Abraham', on the statements of R. Joshua b. Hyrkanos and R. Yoḥanan b. Zakkai concerning the motive of Job's service of God, the context, allows of one explanation only: one actuated in his service of God either by his love or by his fear of God.[3] If the scholars derived Job's religious motive from his attitude to his fellow-men, his conduct as described by him in Job 31[1] sufficiently proved his love of God as the motive of his service of God.[2] And Abraham's attitude to his fellow-men, though apart from his love of peace, his unselfishness and his intercession for Sodom, no reference to it is stated in the Pentateuch, is vividly described by the scholars, and specially his unusual hospitality is praised. When R. Eliezer, R. Joshua and R. Ṣadok attended the wedding-meal of R. Gamaliel's II son and R. Gamaliel stood and served the wine, R. Eliezer would not accept the cup from him, but R. Joshua did. When R. Eliezer expressed his surprise, R. Joshua said, We find that a man greater than R. Gamaliel waited on his guests: it says of Abraham who was a great man in his generation, Gen. 18, 8, 'And he stood by them under the tree, and they did eat', and the visitors did not appear to him as ministering angels, but as Arabs.[3] In interpreting 'And Abraham planted אשל', Gen. 21, 33, R. Yehudah b. Ilai sees in the last word an orchard and R. Neḥemiah an inn,[4] both for wayfarers. And in an anonymous description[5] of Job's great hospitality to the poor, of which he reminded God, when He sent visitations upon him, God replied to him, Thou hast not reached half of the measure of Abraham's hospitality, for he went outside

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[1] Sotah 22 b; Yer. Berakh. IX, 14 b, 48: תנו רבנן שבעה פרושין הן . . . פרוש מאהבה פרוש מיראה . . .

[2] Yer. Berakh. IX, 14 b, 54: פרוש יראה כאיוב פרוש אהבה כאברהם, אין לך חביב מכולם אלא פרוש אהבה כאברהם, 2 ARN, XLV, 62 b.

[3] As the other five types of the Pharisee are open to criticism and are criticized, Rashi explains also the other two in an unfavourable sense: the Pharisee actuated by his love of reward for the commandments and not by the love of the commandments themselves, and the Pharisee actuated by the fear of punishment. The two classes as explained in the text coincide in general with the classification of the Pharisees in the advice and warning given on his death-bed by king Alexander Jannaeus to his queen Salomé Alexandra in Sotah 22 b: אל תתיראי מן הפרושין ולא ממי שאינן פרושין אלא מן הצבועין שדומין לפרושין שמעשיהן כמעשה זמרי ומבקשין שכר כפנחס, 'Fear not the Pharisees, nor those who are not Pharisees, but the hypocrites who are like Pharisees and whose doings are like that of Zimri, but who seek the reward of Phineḥas', Num. 25, 6–15. The genuine Pharisee and the genuine Sadducee need not be feared; but there were men who outwardly observed the rules of the Pharisees, but, in the king's knowledge, committed sins of immorality in private and still expected a reward for their observance of the commandments from

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God. Whether the comparison is to be taken literally and was suggested to the king by the immoral mingling of those hypocrites with non-Jewesses or by their priestly standing is not evident. During a plague which raged in Sepphoris about the middle of the third century, R. Ḥaninah b. Ḥama in his address to the Jewish inhabitants referred to the many Zimris in the town, Yer. Ta'an. IV, 66 d, 48.

[1] In Pesikt. 98 b; Tanḥ. ראה B. 13; Yalkut on Job 31, R. Ḥiyya and R. Simeon b. Ḥalaftha, about the year 200, declare Job 31, 38 to be an overbearing statement for which God rebuked Job; but he explained the meaning of his words.

[2] In the Testament of Job 1, 28, 'From the love of God I shall endure unto death all that befalls me' (Kohler in A. Kohut's Semitic Studies, 274), his love of God refers to his patient endurance of suffering.

[3] Baraitha Kiddush. 32 b; in Mekhilt. R. Simeon Exod. 18, 12, 88 the visitors are described as idolaters, in Sifré Deut. 11, 10, 38, 77 a as idolatrous Arabs.

[4] Sotah 10 a bottom; Gen. rab. 54, 6.

[5] ARN, VII, 17 a; 17 b; 2 ARN, XIV, 17 a; Tanḥ. תולדות B. 13, 67 a.

to look for poor wayfarers and treated them most liberally. He was regarded as the model of those who loved God, as an anonymous Baraitha[1] refers ‘them that love Me’, Exod. 20, 6, to Abraham our father and those like him; and R. Meir remarks on Deut. 6, 5,[2] ‘And thou shalt love the Lord thy God with all thy heart’, love Him with all thy heart as our father Abraham did. The source of the distinction made by the Pharisees between the two motives of the service of God may have been, Deut. 6, 13, ‘Thou shalt fear the Lord thy God, and Him shalt thou serve’; here the fear of God and the service of Him are mentioned next to each other, and an ancient teacher may have taken the two as qualifying one another. This suggestion is borne out by the fact that Deut. 11, 13, ‘to love the Lord your God, and to serve Him with all your heart and with all your soul’, has the love of God and the service of Him next to each other, and may have suggested to the same teacher the idea of serving God for the love of Him.[3]

5. In what way Job in the view of R. Joshua b. Hyrkanos served God for the love of Him, is evident from the verse which he adduced as proof, ‘Though He slay me, yet will I trust in Him’, and which states that Job amid all his terrible sufferings, even to death, upheld his trust in God. In the same sense R. Eliezer[4] explained the commandment, ‘And thou shalt love the Lord thy God . . with all thy soul and with all thy might’, thus, ‘To the man to whom his body is dearer than are his possessions it says, “with all thy soul”, and to him to whom his possessions are dearer than is his body it says, “with all thy might”; R. Akiba says, “with all thy soul”, even if He take thy soul. And their colleague Simeon b. ‘Azzai explains “with all soul” thus, Love Him to the pressing out of thy soul’.[5] All the three teachers

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[1] Mekhil. Exod. 20, 6, 68 b: לאוהבי, זה אברהם אבינו וכיוצא בו

[2] Sifré Deut. 6, 5, 32, 73 b bottom; above p. 127.

[3] Cf. Is. 56, 6, ‘And to love the name of the Lord, to be His servants’.

[4] Baraitha Berakh. 61 b; Sifré Deut. 6, 5, 32, 73 a.

[5] Sifré Deut. 6, 5, 32, 73 a: שמעון בן עזאי אומר בכל נפשך אוהבהו עד

interpret the commandment to love God as demanding of the Jew to sacrifice his possessions and his life for God. This was not mere academic theory, but such love of God determined the self-sacrifice of many prominent martyrs and their followers during the Hadrianic religious persecutions. And, as mentioned before, it was R. Akiba[1] who in his interpretation of 'This is my God, and I will glorify Him', Exod. 15, 2, put Cant. 1, 3 c as their answer to the question of the Gentile nations, why the Jews sacrificed their lives for their God, into the mouths of the Jews, 'Because we love such a God as ours is, unto death'; the unwavering love of God prompted them to accept, and to undergo, the supreme sacrifice without hesitation. His love of God confirmed R. Akiba in his determination to continue the study of the Torah and his public instruction against the Hadrianic prohibitions issued under the penalty of death.[2] When Pappos b. Yehudah warned him, R. Akiba replied, 'Now we are afraid of death, while we are engaged in the study of the Torah of which it is written, "For that is thy life and the length of thy days", Deut. 30, 20, how much more should we be afraid of death, if we failed to be engaged therein'. When R. Akiba was apprehended in the act of teaching the Torah and, on the sentence of a terrible death passed by the Roman governor Tineius Rufus, was in the presence of the latter slowly done to death in Caesarea amid horrible tortures, it happened to be the time for the recital of the שמע. While his flesh was being torn from his body with iron combs, R. Akiba accepted upon him the yoke of God's Kingship over him. When his disciples who witnessed his suffering expressed to him their

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מיצוי הנפש; Bacher, Tannaiten, I, 418, 2. In Tos. Berakh. 7, 7: בן עזאי אומר בכל נפשך, חן נפשך על מצותיו, Ben-'Azzai says, 'Give thy soul for His commandments'. Bacher suggests that the last word should read: עד מיצויה, 'to its pressing out', as in Sifré. In Tos. R. Meir says, 'Even if He take thy soul', which in Sifré is anonymous, but belongs to his master R. Akiba.

[1] Mekhil. Exod. 15, 2, 37 a, see p. 124, 1.

[2] Baraitha Berakh. 61 b.

astonishment at his recital amid his unspeakable pains, he said, 'Throughout all my life I was anxious for an occasion to fulfil the enactment, "And thou shalt love the Lord thy God . . with all thy soul", meaning, even if He take thy soul, and I considered whether, if it happened, I could fulfil it; should I not fulfil it now that it has come to me?'[1] So also R. Ḥaninah b. Theradyon continued the study of the Torah and R. Yehudah b. Babha ordained his disciples, though they knew that their actions involved death. R. Nathan who came from Babylonia to Galilee immediately after the Hadrianic persecutions, referred the words 'those who love Me and keep My commandments', Exod. 20, 6, to the Jews who lived in Palestine and gave their lives for the commandments.[2] To love God means then to do His will, to surrender to any visitation sent by Him upon the Jew and still to trust in Him.[3] But, though in

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[1] Baraitha Berakh. 61 b. In the parallel account in Yer. Berakh. IX, 14 b, 59 Tineius Rufus expresses his astonishment at R. Akiba's recital of the שמע and at his joyfulness amid the horrible tortures, and R. Akiba replies, I loved God with all my heart, and I loved God with all my possessions, but I was not sure of my love of Him with all my soul; now that the opportunity for loving Him with all my soul has come, and the time for reciting the שמע has arrived and my mind is not wavering, I am reciting the שמע and rejoice. See above p. 87. In Aggad. Cant. 1, 4, 351 : יהושע בן יונתן היה אומר על מי שהרגן טורנוס רופוס הרשע הרבה אהבו אותך מן הצדיקים הראשונים, Joshua b. Yonathan referred the words מישרים אהבוך to those whom Tineius Rufus had put to death: they had loved God more than the ancient righteous men. See Bacher, Tannaiten, I, 265, 4.

[2] Mekhil. Exod. 20, 6, 68 b : רבי נתן אומר לאהבי ולשומרי מצותי, אלו ישראל שהם יושבים בארץ ישראל ונותנים נפשם על מצות.

[3] In Apoc. Baruch 52, 5, 'And as for the righteous, what will they do now? (6) Rejoice ye in the suffering which ye now suffer: for why do ye look for the decline of your enemies? (7) Make ready your soul for that which is reserved for you, and prepare your souls for the reward which is laid up for you', rejoicing in suffering deserves special notice. Dr. Charles has no word of appreciation or explanation for the great teaching, and for the warning not to look for the fall of those who cause the suffering. Chastisements are a preparation of the soul for the coming reward, see Rosenthal, Vier Apokryph. Bücher, 98, and the statement of the Babylonian teacher R. Huna in Berakh. 5 a, In whom God delights him He crushes with chastisements, Is. 53, 10; I might think that it was

R. Joshua b. Hyrkanos' view Job served God for the love of Him, he seems not to have attained to the degree of the love of God that filled the men described in the anonymous Baraitha,[1] 'To those who are offended, but offend not, who hear themselves abused, but abuse not, who act for love and rejoice at their chastisements, Judges 5, 31 applies, "But they that love Him be as the sun when he goeth forth in his might"'. Every positive act of these men, in the first instance their dealings with their neighbours and their deeds of kindness, were inspired by their love of God, and visitations of every kind they accepted and bore with joy as sent for their benefit by God whom they loved. Such manifestations of the love of God were also evident in R. Akiba's conduct.[2]

Here two instances of visitation and the extreme attitudes of the tried righteous men to them demand a few words of comment. The Baraitha reports,[3] 'A fire broke out in the yard of Yosé b. Simai in Siḥin, and when the soldiers of the castra in Sepphoris came to put it out, he said to them, Allow the collector to collect his debt'. The loss of property is a less grave form of affliction, but is sent by God as the first stage of coming trials, as in Job 1, or, as here inter-

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so even if he did not accept them for love, therefore it says in Is. 53, 10: אם תשים אשם נפשו, just as a guilt-offering is brought with intention, so chastisements must be accepted with assent. If he accepted them, what is his reward? Is. 53, 10: He will see seed, prolong his days; and even more, his learning will be preserved in him.

[1] Shabb. 88 b: תנו רבנן עלובין ואינן עולבין שומעין חרפתן ואינן משיבין עושין מאהבה ושמחין ביסורין עליהן הכתוב אומר ואוהביו כצאת השמש בגבורתו, see my Types, 14.

[2] In ARN, XLI, 67 a, following after a statement of R. Yehudah b. Thema, an anonymous warning reads: הוי למוד לקבל את הצער והוי מוחל על עלבונך, 'Be accustomed to accept trouble, and forgive any offence against thee'; it is similar to the statement just considered. About קבל see further p. 168, 2, in connexion with the attitude of R. Eleazar b. R. Simeon and R. Yehudah I to their suffering in Baba meṣ. 85 a, and the statement of R. Simeon b. Lakish in Gen. r. 9, 5.

[3] Yer. Shabb. XVI, 15 d, 42. The parallel Baraitha Shabb. 121 a describes Yosé as an epitropos of the king (Agrippa) and he prevents the fire-brigade from doing their work on account of the Sabbath. Tos. Shabb. 13, 9 gives no reason for his action.

preted by Yosé, as a punishment for sins;[1] when He inflicts a loss, He merely exacts for them the equivalent compensation by the destruction of goods. As the pious man sees in the fire the instrument of God, and in the certain loss to be caused thereby the measure and amount fixed by Him of the punishment commensurate with his sins,[2] he regards any interference with the visitation sent by God as a wrong attitude, and submits to His decree of affliction by allowing the fire to complete its work. This extreme attitude of surrender was applied by some teachers to an affliction by sickness, and they put the question whether, when God sent a disease upon a man, as in the case of Job, he might employ a physician. There is a story told[3] how R. Ishmael and R. Akiba were walking with a man in the streets of Jerusalem and met a sick man who asked them how he could be cured; when they suggested to him a medicine, their companion said to them, Since God has smitten him with the illness, why interfere ye with a matter which is not yours? He has smitten and ye heal? They refuted his view by a reference to his ploughing, pruning, manuring, &c. But that man with his principle represented a school of thought which can be traced at least as far back as 2 Chron. 16, 12, 'Yet in his (king Asa's) disease he sought not to the Lord, but to the physicians'. And the same opposition to medical aid is implied in Sirach 38, 1, 'Honour a physician according to thy need (of him) with the honours due unto him: for verily the Lord hath created him. (2) For from the Most High cometh healing; and from the king he shall receive a gift. (4) The Lord created medicines out of the earth; and a prudent man will have no disgust at them'. In his commentary Fritzsche rightly suggests that there possibly was in some quarters a tendency to disparage and to neglect medical aid owing to religious scruples. Also the report in the Baraitha[1] of the action of king Ḥezekiah in withdrawing the book of (medical) healings approved by the authorities bears on the point; and as several details recorded in the Baraitha reflect a view of the first century, so also may this statement. The most definite evidence of some opposition to healing is the Baraitha[2] on Exod. 22, 19, 'And he shall cause him to be thoroughly healed', 'The school of R. Ishmael says, From here we deduce that the Torah has given permission to the physician to heal'. As a proof had to be adduced for such permission, it is clear that some school taught that such interference with an affliction imposed by God was to be regarded as contrary to His will. And it may be remembered that Naḥum of Gimzō[3] bore his terrible disease of leprosy in submission to God's visitation, and would have strongly objected, if his disciples had suggested an alleviation of his sufferings by medical aid.

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[1] In an anonymous statement in Yer. Sotah I, 17 a, 35; Num. r. 9, 24, in Koh. r. 7, 27 by R. Yiṣḥak, it says, It is a common experience, when a man committed a sin for which he incurred death at the hand of God, and his ox expired, or his hen was lost, or his bottle broke, or he hurt his finger, the account (of his sin) is settled.

[2] For sin as debt see Matth. 6, 12, and G. F. Moore, Judaism II, 95, and R. Joshua b. Levi's self-reproach in Yer. Ta'an. IV, 66 c, 60: מה אנא מימור למרי חובא דלא יגבי חוביה, What right have I to tell the creditor, God, not to collect His debt? Cf. R. Yoḥanan in Yer. Ta'an II, 65 b, 47.

[3] Midr. Samuel IV, 27 b, see Buber's note 7.

In normal conditions of life, when the attachment of the Jew to his God was not put to so severe a test, the service of God for the love of Him was manifested in other ways and by different attitudes of the mind. R. Yehudah b. Thema[4] of the second century said, 'All thy ways shall be in the honour of God, love God and fear God, trembling and rejoicing at all the commandments'. The statement is evidently based on an interpretation of Deut. 6, 5; 10, 12, as shown above; and the same idea is found again,[1] 'To those who love Me', "who fulfils My will before Me for love"; 'and those who keep My commandments', "who fulfils My will before Me for fear". In regard to the motive of the observance of the commandments explicitly mentioned in the text interpreted, the fear is that of punishment by God, in the first instance for the transgression of the prohibitions in the Torah. So R. Eliezer b. Hyrkanos unmistakably stated it.[2] 'R. Ḥananyah, the son of R. Gamaliel says, Why are the proselytes in these days afflicted and are chastisements coming upon them? Because they did not keep the seven commandments of the Noaḥides. R. Yosé says, A proselyte (is not punished for his past, for he) is like a child just born, (free from sins): but they are afflicted, because they know not the details of the commandments as the Israelites do. Abba Ḥanan says in the name of R. Eliezer, Because they act not for love, but for fear'. To act for love means obedience to the will of God irrespective of reward or punishment; whereas the consideration of punishment in the case of disobedience as the motive of man's attitude to the commandments is designated as action through fear.[3] Already Antigonos of Sokhō before the middle of the second

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[1] Pesaḥ. 56 a top: גנז ספר רפואות. A most disparaging opinion of the physician was handed down by R. Yehudah b. Ilai in the name of Abba Goryon of צײדן who, in his turn, had cited it in the name of Abba Gurya (Kiddush. 4, 14; in Yer. IV, 66 c, 32 Abba Uryon of צײדן in the name of Abba Saul), The most righteous among the physicians goes to Hell. This is a criticism not only of the physician, but also of the application of his art, and of his belief in himself and his cures.

[2] Baba kam. 85 a: תניא דבי רבי ישמעאל אומר ורפא ירפא מכאן שניתן רשות לרופא לרפאות, Mekhil. R. Simeon Exod. 21, 19, 128: ד״א ורפא ירפא התורה נתנה רשות לרופא לרפא, cf. Mekhil. Exod. 21, 19, 83 a and Friedmann's note 24.

[3] Ta'an. 21 a; Yer. Shekal. V, 49 b, 14, see below, p. 177 ff.

[4] ARN, XLI, 67 a: הוא היה אומר הוי אוהב את השמים ירא מן השמים

חרד ושש מכל המצות, Derekh ereṣ zuta 2, 1: כל דרכיך יהיו לשם שמים הוי אוהב את השמים וירא מן השמים הוי חרד וש״ש . ., Bacher, Tannaiten, II, 556.

[1] Mekhil. R. Simeon Exod. 20, 6, 106: לאוהבי למי שעושה לפני מאהבה, ולשומרי מצותי למי שעושה לפני מיראה . . .

[2] Baraitha Yebam. 48 b bottom: מפני מה גרים בזמן הזה מעונין . . אבא חנן אומר משום רבי אליעזר לפי שאין עושין מאהבה אלא מיראה; cf. Midr. Psalm 119, 46: סעפים שנאתי, אלו בני אדם שמחשבין יראת אלהים מתוך יסוריהן ולא מאהבה, and Gerim II.

[3] In Mekhil. R. Simeon Exod. 19, 1, 93, in interpreting Is. 45, 19, R. Yosé says, 'I the Lord speak righteousness', I speak of Israel's righteousness; 'I declare the things that are right', מגיד אני מה שעשו לפני מאהבה, I relate what they have done before Me for love.

century B.C.E. said, Abōth 1, 3, 'Be not like slaves who serve their master upon the condition of receiving maintenance, but be like slaves who serve their master without the condition of receiving maintenance, and let the fear of Heaven be upon you'. Maimonides[1] explains this as warning to view man's actions for the love of God without considering the reward; but, though he serves Him for love, he must not leave the fear of Him entirely, as the Torah commands us to fear God. But it should be considered that the serving of the master and the expectation of reward clearly point to positive actions, that is, to the active fulfilment of positive commandments. On the other hand, the additional reference to the necessary presence of the fear of God, as in the warnings of R. Yoḥanan b. Zakkai and others considered above (p. 140 ff.), views the transgression of prohibitions; unless, as suggested above (p. 141), it meant in his days the recognition of God as man's Master demanding obedience without a distinction between the love and the fear of God. Again, as to actions for the love of God, several parallel Baraithas state,[2] 'Perhaps thou wouldst say, I will learn Torah in order to become wealthy, to be called Master, to receive a reward in the world-to-come, therefore it says, "to love the Lord your God", all that ye do ye shall do for love only, (learn for love).' This warning was addressed to such as intended to join the school with a selfish, though, at the same time, idealistic object in view, and had to be impressed with the fundamental principle that the study of the Torah in its various branches must be pursued for the love of God, free from any interest of gain or ambition. But it was not a narrow rule applied only to the study of the Torah, but it was a general principle of the teachers extended to the whole range of the religious life and practice. So it is stated[1] as one of the manifestations of man's love of God, 'It says, "And thou shalt love the Lord thy God with all thy heart", but as I know not in what way we should love God, it says, "And these words, which I command thee this day, shall be upon thy heart", put those words into thy heart, for thereby thou shalt learn to know God and cleave to His ways.' The Jew is commanded to love God by impressing His precepts upon his mind and by meditating in them, as such concentrated thought leads to the knowledge of God, and that in its turn brings us to an attachment to His ways, which is the ultimate purpose of the Torah. So the love of the Torah is one form of our love of God.[2] And so R. Nathan, the Babylonian, who settled in Galilee after the Hadrianic religious persecutions and saw the work of the scholars and their love of the Torah, said,[3] 'There is no love like the love of the Torah, and no learning like the learning of Palestine'.

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[1] Cf. his remarks on Abōth 1, 3 and on Synh. 10, 1, and the statement of R. Eleazar in 'AZ, 19 a.

[2] Sifré Deut. 11, 13, 41, 79 b ff.: לאהבה את ה׳ אלהיכם, שמא תאמר הרי אני לומד תורה בשביל שאהיה עשיר ובשביל שאקרא רבי ובשביל שאקבל שכר תלמוד לומר לאהבה את ה׳ אלהיכם, כל מה שאתם עושים לא תעשו אלא מאהבה, Midr. Tannaim Deut. 11, 13, 34 bottom: בשביל שאקבל שכר לעולם הבא; in Sifré Deut. 11, 22, 48, 84 b: לאהבה את ה׳ אלהיכם, שמא תאמר הריני אלמוד תורה בשביל שאקרא חכם בשביל שאשב בישיבה בשביל שאאריך ימים לעולם הבא תלמוד לומר לאהבה את ה׳ אלהיכם, למוד מכל מקום וסוף הכבוד לבא . ., Baraitha Nedar. 62 a on Deut. 30, 20: תניא לאהבה את ה׳ אלהיך לשמוע בקולו ולדבקה בו, שלא יאמר אדם אקרא שיקראוני חכם אשנה שיקראוני רבי אשנן שאהיה זקן ואשב בישיבה אלא למוד מאהבה וסוף הכבוד לבא שנאמר קשרם על אצבעותיך כתבם על לוח לבך . .. Cf. Midr. Tannaim Deut. 12, 28, 61, no. 25.

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[1] Sifré Deut. 6, 6, 33, 74 a: לפי שהוא אומר ואהבת את ה׳ אלהיך בכל לבבך, איני יודע באיזה צד אוהבים את הקב"ה תלמוד לומר והיו הדברים האלה אשר אנכי מצוך היום על לבבך, תן הדברים האלה על לבבך שמתוך כך אתה מכיר את הקב"ה ומדבק בדרכיו, in Midr. Tannaim Deut. 6, 6, 26 רבי אומר. Cf. Aggad. Cantic. Schechter, p. 61, 473-81.

[2] The same duty is specially applied to one definite branch of the study of the Torah in Sifré Deut. 11, 22, 49, 85 a: רצונך שתכיר מי שאמר והיה העולם למוד הגדה שמתוך כך אתה מכיר את הקב"ה ומדבק בדרכיו, If thou wishest to know the Creator, learn Haggadah, for thereby thou shalt learn to know God and cleave to His ways. In Sifré Deut. 11, 22, 48, 84 b: כל המצוה, למוד מדרש הלכות ואגדות, the whole commandment includes the deduction of the law from the text, the laws deduced and Haggadahs.

[3] ARN, XXVIII, 43 a; Bacher, Tannaiten, II, 442, 1: רבי נתן אומר

The superiority of actions performed for the love of God is emphasized by R. Simeon b. Eleazar, of the second half of the second century,[1] 'Greater is (the merit of him) who acts for love than (the merit of him) who acts for fear, for the merit of the former endures for several thousand generations, Exod. 20, 6, while that of the latter lasts only for one thousand generations, Deut. 7, 9'.[2] R. Simeon holds that 'those who keep My commandments' are such

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אין לך אהבה כאהבה של תורה ואין לך חכמה כחכמה של ארץ ישראל. Two decades before him the author of Apoc. in Baruch 54, 14 said, 'And justly do they perish who have not loved Thy law, and the torment of judgment will await those who have not submitted themselves to Thy power'. But there the love of the Torah refers to its practice, cf. Psalm 119, 165, 'Great peace have they that love Thy Torah'.

[1] Baraitha Sotah 31 a; Sifré Deut. 6, 5, 32, 73 a: תניא רבי שמעון בן אלעזר אומר גדול העושה מאהבה יותר מן העושה מיראה שזה תלוי לאלף דור וזה תלוי לאלפים דור.

[2] Very strange is the statement in 2 ARN, X, 13 b bottom: משל לאדם עושה רצון רבו ולבו גם ברצון רבו, אדם עושה רצון אביו ולבו גם ברצון אביו, לא דומה זה שהוא עושה מאהבה לזה שהוא עושה באימה ויראה, זה שהוא עושה מאהבה נוחל חיי העולם הבא וזה שהוא עובד באימה ויראה שהוא נוחל חיי העולם הזה ואינו נוחל חיי העולם הבא, שכן מצינו באבות הראשונים שעבדו באימה ויראה ונחלו חיי העולם הזה וחיי העולם הבא, באברהם מהו אומר כי עתה ידעתי כי ירא אלהים אתה, ביוסף מהו אומר את האלהים אני ירא, ביונה מהו אומר ואת האלהים אני ירא. The contradiction between the middle and the last parts is evident; for first it states that he who acts for love inherits the life in the world-to-come, while he who acts for fear and dread inherits the life in this world, but not the life in the world-to-come. The last exclusion would imply that he who acts for love inherits life in both worlds, and rightly so, as he fulfilled the will of God at least to the same extent as the other man; unless the Haggadist held the view that the truly righteous man receives no reward in this world, but all his reward is reserved for the world-to-come. Of the patriarchs it says that they inherited the life in this and the future worlds, so that they must have served God from love, whereas the verses adduced, Gen. 22, 12; 42, 18; Jon. 1, 9 describe them as fearing God; consequently, the author held the view of R. Meir that God-fearing meant in Gen. 22, 12 serving God for love, above p. 126. If so, it must have read of the patriarchs originally שעבדו מאהבה, that they served God for love, and not for dread and fear. Note that he who acts for fear is likened to one who carries out the wish of his master or of his father, but his heart is presumptuous against him, that is, he observes God's commandments for fear of punishment, but in his heart he is haughty to God.

as act for the fear of God, as in the anonymous Baraitha[1] quoted above, which also states that he who acts from love is in many respects superior to him who acts from fear. Though both the verses adduced in the Baraitha contain the same two words 'those who love Me' and 'those who keep My commandments', R. Simeon refers the two passages to two different persons, because, as the Talmud explains, the greater number 'thousands' stands next to 'those who love Me', while the number 'thousand' is found next to 'those who keep My commandments'. In another anonymous statement[2] the difference between the two motives of action is illustrated thus, 'As it says in Deut. 10, 20, "Thou shalt fear the Lord thy God, Him shalt thou serve, and to Him shalt thou cleave", and we find that the man who acts for fear of another man, if the latter burdens him too much, leaves him and goes away, thou shalt act for love, for thou findest love along with fear and fear along with love only in relation to God'. The unusual expressions obscure the meaning of the statement, and the translation given is based on a parallel[3] to be considered later. As מתירא is contrasted with acting for love, and the man concerned in the end defies the other person, it does not denote ordinary fear, but the attitude of a person who actuated by respect and reverence is doing acts of service for the man whom he 'fears', but, if taken advantage of, leaves him and stops his service altogether. Towards God only love is the right motive of service, but it should be coupled with the fear of God which imposes His authority and tries to prevent the Jew that is normally actuated in his conduct by his love of God, from ever disobeying His will. On the other hand, when a man is serving God only for the fear of Him, and might at times feel the restraint of the prohibitions and the demands of the positive duties too burdensome, the additional motive of the love of God should persuade him to bear the requirements of the service of God readily and joyfully.

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[1] Mekhil. R. Simeon Exod. 20, 6, 106: לאהבי למי שעושה לפני מאהבה ולשמרי מצותי למי שעושה לפני מיראה, להודיעך כמה מעלות יש בין העושה מאהבה לעושה מיראה. Cf. Sifra Lev. 10, 2, 45 c, § 32.

[2] Sifré Deut. 6, 5, 32, 73 a: לפי שהוא אומר את ה׳ אלהיך תירא ואותו תעבד ובו תדבק, יש לך אדם כשהוא מתירא מחבירו כשהוא מטריחו מניחו והולך לו, אלא אתה עושה מאהבה שאין לך אהבה במקום יראה ויראה במקום אהבה אלא במדת הקב״ה בלבד.

[3] Yer. Berakh. IX, 14 b, 45; see below pp. 164 ff.

In addition to R. Eliezer who accounted for the afflictions of the proselytes of his day by the fact that they acted for fear[1] and not for love, R. Ḥiyyah in Sepphoris about the year 200 pointed to the untrustworthiness of the proselytes, but at the same time admitted that some of them joined Judaism with the purest intentions. He said,[2] 'Trust not the proselyte to the twenty-fourth generation, for he adheres to his leaven; but if he accepts upon him the yoke of God for love and for fear and becomes a proselyte in the honour of God, He does not turn him back, as it says, Deut. 10, 18, 'And He loveth the גר, in giving him food and raiment'. As has been shown (p. 94 ff.), the proselyte first rejects and abandons his idols, the yoke of his gods, and then receives upon him the yoke of God, the recognition of Israel's God as his Master and King; thereby he submits to His will expressed in the laws of the Torah, as the Israelites did in Egypt and at Sinai. He accepts the commandments not only for fear of punishment, but also for the love of God, so that he joins Judaism from no other motive but the honour of God, and He accepts him and helps him. A century earlier R. Eliezer expressed the same unfavourable opinion of the proselyte because of his bad leaven,[3] but still said,[4] 'When a man comes to thee to become a proselyte, as he only comes in the honour of God,[1] draw him near, and keep him not away'.[2] He seems to have used the term 'in the honour of God' in the sense of: irrespective of reward or punishment, attracted only by God and His greatness, almost by his love of God.[3] In any case it is clear that R. Eliezer not only distinguished the two motives of man's service of God, the fear and the love of Him, but also placed actions prompted by the love of God higher; but though he applied the practical difference between the two motives only to the special case of the proselytes, the distinction existed before his application and was an accepted principle. It confirms the inference drawn from the remark of R. Eliezer's fellow-student and colleague, of R. Joshua b. Ḥananyah about R. Yoḥanan b. Zakkai's lifelong interpretation of Job's fear of God as the motive of his service of God, that already R. Yoḥanan,

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[1] Baraitha Yebam. 48 b bottom; above, p. 156.

[2] Midrash zuta, ed. Buber, Ruth 1, 12, 48: אמר רבי חייא אל תאמין בגר עד כ״ד דורות שהוא תופש שאורו, אבל בשעה שהוא מקבל עליו עולו של מקום מאהבה ומיראה ומתגייר לשם שמים אין הקב״ה מחזירו שנאמר ואוהב גר לתת לו לחם ושמלה וגו׳, above, p. 94, and Sifré zuta Num. 10, 29, 74.

[3] Mekhil. Exod. 22, 20, 95 a; 23, 4, 99 a; Bacher, Tannaiten, I, 106, 3.

[4] Mekhil. Exod. 18, 6, 58 a ff.: אף אתה כשבא אדם אצלך להתגייר אינו

בא אלא לשום שמים אף אתה קרבהו ולא תרחיקהו; but he refused admission to an incestuous woman, Koh. r. 1, 8, 4, whom R. Joshua afterwards accepted. See Sifré zuta Num. 10, 29, 75, 13 Horovitz.

[1] Cf. 1 Reg. 8, 41, 'Moreover concerning the stranger that is not of Thy people Israel, when he shall come out of a far country for Thy name's sake'; see Büchler, Types, 17 ff.; Mekhil. Exod. 18, 3, 57 b ff.

[2] The apparent change in R. Eliezer's view of the proselytes was probably due to their wavering and inconstancy during the persecutions under Domitian and Trajan, when some of them under the pressure from the Roman officials in Palestine and outside it gave up Judaism; see Apoc. Baruch 42, 3-5. Also Josephus, Contra Apion. II, 10, 123, knew of such waverers, 'Many of the Greeks have come over to our laws, and some of them have continued in their observance, although others of them had not courage enough to persevere, and departed from them again'.

[3] See Baraitha Nedar. 62 a on Deut. 30, 20, 'To love the Lord thy God, to hearken to His voice, and to cleave unto Him': רבי אלעזר ברבי צדוק אומר עשה דברים לשם פעלם ודבר בהם לשמם אל תעשם עטרה להתגדל בהם ואל תעשם קורדום להיות עודר בו.. (in Sifré Deut. 11, 22, 48, 84 b bottom: לשם פעולתם, see Bacher, Tannaiten, I, 48, 2. 3), R. Eleazar b. R. Ṣadok (of the first century) says, 'To love the Lord thy God' teaches, 'Do the words for the sake of Him who made them, and discuss them for their own sake, make them not a crown to pride thyself on them, nor a hoe to dig with it'. So לשום פעלם is the explanation of the love of God.

at the time when R. Eliezer and R. Joshua were his disciples in Jerusalem before the year 70, distinguished between the fear and the love of God as two unequal religious motives of serving God. Had the proselytes not only accepted Judaism in the honour of God, but had also their practice of it been actuated by the love of God and not only by the fear of Him, they would have all clung to Judaism amid all the trials imposed upon them with the same constancy and fortitude as the Jewish martyrs of the persecutions under Lusius Quietus in the year 116–7. They would have evinced even the determination and the self-sacrifice of which Josephus gives an instance in his account of the character of the Essenes, Wars 2, 8, 10, 152. 'And as for death, it will come with glory, they esteem it better than immortality; and indeed our war with the Romans gave abundant evidence what great souls they had in their trials, wherein, although they were tortured and distorted, burnt and torn to pieces, and went through all kinds of instruments of torment, that they might be forced either to blaspheme their legislator, or to eat what was forbidden them, yet could they not be made to do either of them, no nor once to flatter their tormentors, or to shed a tear; (153) but they smiled in their very pains, and laughed those to scorn who inflicted the torments upon them, and resigned up their souls with great alacrity, as expecting to receive them again'.

6. Whence R. Yoḥanan b. Zakkai derived his definite view that Job had served God for his fear of Him, is not indicated; but as R. Joshua b. Hyrkanos based his divergent opinion that Job's service of God was actuated by his love of Him on Job 13, 15, 'Though He slay me, yet will I trust in Him', it seems that Job's impatience in bearing his sufferings and his reproaches against God's justice proved his inferior religious motive to R. Yoḥanan. As has been shown, submission to God's will in pain and visitation, and even joy at the chastisements were declared to be manifestations of the sufferer's love of God, and as prominent in truly

pious men.[1] The close connexion between man's love or fear of God and his attitude to trials inflicted by God upon him is clearly stated in a difficult anonymous declaration of uncertain date, but, according to its exegetical form, of Tannaitic origin. In trying to reconcile the contradictory obligations in Deut. 6, 5 and 10, 20, the statement reads,[2] 'One verse says, "And thou shalt love the Lord thy God", and the other enjoins, "Thou shalt fear the Lord thy God, Him shalt thou serve", (they teach us) to act for love and to act for fear: act for love, so that if thou shouldst be inclined to hate, consider that thou lovest, and he that loveth hateth not; act for fear, so that if thou shouldst be inclined to kick, consider that thou fearest, and he who fearcth kicketh not'. As the verbs love and fear in the two verses reconciled have God for their direct object, the same verbs repeated in the Talmudic explanatory statement and the verbs added as explanations, but used without their objects, naturally also have God for their direct object.[1] To begin with the striking and offensive term בעט, its connotation in the characteristic surroundings is best illustrated and defined by a statement of R. Akiba[2] which bears closely on man's love and fear of God and his attitude to suffering. The wording in the older source, Semaḥōth, VIII has[3], 'R. Akiba says, The king (God) has four sons, one, when smitten[4], keeps silence (and suffers), the second, when smitten, kicks; the third, when smitten, prays, and the fourth, when smitten, says to his father, Smite me! Abraham, when smitten, keeps silence; when God said to him, Gen. 22, 2, 'Take now thy son, thine only son, whom thou lovest, even Isaac,..and offer him there for a burnt-offering', he could have said to God, Yesterday Thou didst tell me, Gen. 21, 12, 'for in Isaac shall seed be called to thee', and yet it says, Gen. 22, 3, 'And Abraham rose early in the morning, &c.'[1] Job, when smitten, kicks, as it says, Job 10, 2, 'I will say unto God, Do not condemn me; make me know wherefore Thou contendest with me'.[2] Ḥezekiah, when smitten,

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[1] In the middle of the third century R. Joshua b. Levi said, Ta'an. 8a bottom: כל השמח ביסורין שבאין עליו מביא ישועה לעולם שנאמר בהם עולם ונושע, He who rejoices at the chastisements which come upon him will bring salvation into the world, Is. 64, 4. Cf. also Derekh ereṣ zuta, IX: והוי שמח בייסורין הבאין עליך מפני שמצילין אותך מחולי של מטה.

[2] Yer. Sotah V, 20 c, 39; Yer. Berakh. IX, 14 b, 45: כתוב אחד אומר ואהבת את ה׳ אלהיך וכתוב אחר אומר את ה׳ אלהיך תירא ואותו תעבד, עשה מאהבה ועשה מיראה, עשה מאהבה שאם באתה לשנוא דע שאת אוהב ואין אוהב שונא, ועשה מיראה שאם באתה לבעט דע שאת ירא ואין ירא מבעט. Naḥmani on Deut. 6, 5 quotes the statement in a condensed form as a warning addressed to the pious man: החסיד צריך להיות אוהב וירא כמו שאמרו, עשה מאהבה ועשה מיראה, עשה מאהבה שאין אוהב שונא, ועשה מיראה שאם באת לבעוט אל תבעוט; see Reifmann in בית תלמוד 4, 1885, 15, who infers from Maimuni that the original wording in Yer. had ליטכוח instead of לשנוא. But not only Naḥmani's quotation confirms the present wording, but also Maimonides in his commentary on Abōth 1, 3, in referring to the passage thus: עבוד מאהבה עבוד מיראה, ואמרו אוהב לא ישכח דבר ממה שצוה לעשותו והירא לא יעשה דבר ממה שהוזהר מעשותו, which words suggested to Reifmann his emendation, supports our text. For Maimonides merely renders the first part of the passage quoted by him, 'act for love, act for fear', in explaining the words thus: he who loves God must not forget any commandment which He has ordered to be carried out, and he who fears God must not do anything that he has been forbidden to do. The second part of the statement which contains לשנוא, Maimonides did not render at all. Cf. Tosafōth Sotah 22 b s.v. פרוש, and Ratner אהבת ציון on ברכות, 214.

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[1] M. Löwy in MGWJ, 48, 1904, 406, 4, on the consideration, 'Denn, wie sollte Jemand auch Gott hassen wollen', asserts as the object of the verbs the fellow-man, 'he who loveth his fellow-man hateth him not'; but he did not proceed to test this his interpretation by referring also בעט to the fellow-man, and by adducing at least one parallel in which that verb would be applied to the neighbour.

[2] In Midr. Psalm 26, 2; Yalkut Makhiri Psalm 26, 1, 87 a ff. it is anonymous; but four manuscripts quoted by Buber in his note on Midr. Psalm 26, 2, explicitly name as the author R. Akiba; see Bacher, Tannaiten, I, 321, 2.

[3] רבי עקיבא אומר ארבעה בנים למלך אחד לוקה ושותק ואחד לוקה ומבעט ואחד לוקה ומתחנן ואחד לוקה ואומר לאביו הלקני, אברהם לוקה ושותק שנאמר קח נא את בנך את יחידך אשר אהבת את יצחק והעלהו לעולה, היה לו לומר אתמול אמרת לי כי ביצחק יקרא לך זרע, ונאמר וישכם אברהם בבקר וגומר, איוב לוקה ומבעט שנאמר אומר אל אלוה אל תרשיעני הודיעני על מה תריבני, חזקיה לוקה ומתחנן שנאמר ויתפלל חזקיה אל ה' וגומר ויש אומרים אף חזקיה לוקה ומבעט אחר כך היה לו לומר והטוב בעיניך עשיתי, דוד אמר לאביו הלקני שנאמר הרב כבסני מעוני ומחטאתי טהרני.

[4] As far as our early information goes, לקה was the technical term for receiving stripes in the court of law, as in the early report in Baraitha Synh. 46 a; Yer. Ḥagig. II, 78 a, 19: תניא רבי אליעזר בן יעקב אומר שמעתי שבית דין מכין ועונשין שלא מן התורה . . מעשה באדם אחד שהטיח את אשתו תחת התאינה והביאוהו לבית דין והלקוהו; here R. Eliezer b. Jacob I of Jerusalem before the year 70, who survived the destruction of the Temple, uses himself מכין for scourging, while the account quoted by him as a tradition has הלקוהו. The strap used is called רצועה, as the statement of R. Akiba in Midr. Psalm and in the manuscripts of it in David's question has: למה הרצועה תלויה, why is the strap suspended?

It was used in the courts of law, Makk. 3, 12. In Sirach 22, 6, 'But stripes and correction are wisdom at every season', corresponds best with שבט מוסר in Prov. 22, 15, as also in Psalm of Solomon 10, 2, where Ryle-James point to Is. 50, 6 as the source. In the parallel in Aggad. Gen. XI, 2 it reads: יש שלקה ובעט ויש שלקה ובקש מאביו ויש שאמר לאביו למה הרצועה זו תלויה הכני בה, יש לקה ובעט זה איוב כיון שנגע בו השטן התחיל צווח. Cf. ben-'Azzai in Tos. Berakh. 3, 4; Bacher, I, 415.

[1] In Midr. Psalm it reads, 'The second, when smitten, laughed, that was Abraham, as it says, Gen. 17, 17, "Then Abraham fell upon his face, and laughed". Abraham was like him who smote his son, and swore to smite him; when he told his son, My son, I have sworn to smite thee, the son said to him, Thou hast the power. When he smote him, he thought that the son would say, Enough for me! while, in fact, when he had smitten him, the father said that his smiting was sufficient'. Buber rightly notes that Gen. 17, 17 is hardly the appropriate verse to support the statement preceding it, and suggests that the copyist misread the original word שותק as שוחק, and then added on his own account the verse to support the word wrongly substituted by him. In the four manuscripts the wording is different, 'The second says, My father is trustworthy for me': God said to Abraham, Gen. 21, 12, 'In all that Sarah saith unto thee, hearken unto her voice, &c.', at once Abraham rose in the morning, &c.', 21, 14; but could not Abraham conciliate her? He rather said, My Father is trustworthy for me; Abraham was like him, &c.

[2] Midr. Psalm continues, (3) 'Is it good unto Thee that Thou shouldest oppress? Why am I smitten? what have I done to Thee? Tell me what my sin is? how many are mine iniquities, sins, and transgressions (13, 23)? I know that Thou hast the power, and Thou doest to me such things. (16, 18) O earth, cover not my blood, and let my cry have no resting place'! The manuscripts have: We find that Job, when smitten, kicked against the chastisements which God had brought upon him, as it says, 10, 2, &c. Why am I smitten? What have I done to Thee? tell me how many sins I have committed that Thou smitest me, 10, 3? He, while smitten, kicked.

beseeches (God), as it says, 2 Reg. 20, 2, 'and he prayed unto the Lord, &c.'; some say that also Ḥezekiah, while smitten, kicks later on; was it for him to say, 2 Reg. 20, 3; Is. 38, 3, 'and I have done that which is good in Thy sight'?[1] David said to his Father, Smite me, as it says, Psalm 51, 4, 'Wash me thoroughly from mine iniquity, and cleanse me from my sin'.[2]

This full statement of R. Akiba is in itself of great value for the question of the love and the fear of God, as it embodies his view of the various attitudes of Jews to visitations sent by God. As it appears, the least satisfactory of the three relatively irreprehensible positions was taken up by king Ḥezekiah, as he prayed to God to free him from his mortal illness and to withdraw His decree to terminate his life. That assumption seems to be supported by the fact that another opinion placed Ḥezekiah's prayer, on account of its reference to his merits, on the same low level as Job's offensive reproaches. But, in any case, such depreciative, or even disparaging estimate appears to be harsh and strange, considering that God accepted the king's prayer and actually prolonged his life by fifteen years. The unnamed author of the strict view stigmatizes as בעט, kicking, Ḥezekiah's reference to his merits, as also his argument against the decree of God to terminate his life. The very strong word testifies to the scholar's reprobation of the king's attitude in pointing to his obedience to God, though it extended to his walking before God throughout the whole of his life. This judgment of the teacher definitely and cogently refutes the familiar assumption by the commentators of the New Testament of the Rabbis' bookkeeping of their meritorious and their sinful actions, and of their presentation of the balance to God in their calamity and suffering.[1] As to the attitudes of the other two pious men, R. Akiba mentions first Abraham's silent submission to God's contradictory and inscrutable demand, and the patriarch's unhesitating execution of God's will without even a word of reference to His earlier assurance of Israel's great future, and his immediate setting about sacrificing his son.[2] And even such wordless obedience was not regarded by R. Akiba as an attitude of the highest religious standard, though in his list he mentioned it first. David's attitude was the purest and the highest in its religious and moral value, as he not only submitted without any complaint or question to the visitation inflicted by God, but even asked Him for further chastisements in order that he might obtain forgiveness of his sins.[1]

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[1] In Midr. Psalm: The third, when smitten, besought his friend, that was Ḥezekiah, as it says, &c. In the manuscripts: The third, when smitten, prayed his friend for mercy; R. Nathan says, Also he, when smitten, kicked, as it says, Is. 38, 14, 'Like a swallow or a crane so do I chatter', which shows that the punishments of Ḥezekiah were harder than those of Job, cf. Job 19, 20 with Is. 38, 13; Job 19, 20 with Is. 38, 12.

[2] Midr. Psalm: The fourth said, Why is the strap suspended? smite me with it! such was David, as it says, Psalm 26, 1, 'Judge me, O Lord'. In the manuscripts: The fourth said, Why is the strap suspended? smite me therewith', as it says, Psalm 26, 1, &c.; so Solomon says, Prov. 12, 1, and so David says, Psalm 94, 12, 'Happy is the man whom Thou, O Lord, chastisest'. Cf. also the wording in Yalkut Makhiri on Psalm 26, 1.

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[1] Cf. the anonymous statement in Sifré Deut. 3, 23, 26, 70 b, 'Israel had two good leaders, Moses and David, the king of Israel, והיו יכולים לתלות את העבירות במעשיהם הטובים ולא בקשו מן המקום שיתן להם אלא חנם . . . מי שאינו אחד מאלף אלפי אלפים ורבי רבבות מתלמידיהם על אחת כמה וכמה שלא יבקש מלפני המקום שיתן לו אלא חנם, when they were punished for their sins, they could have referred to their good deeds (lit. connected the punishments with their merits), but they asked for the free consideration of God without any reference to their merits: how much more should the very smallest of their disciples ask for the consideration of God without any reference to his merits.

[2] A synonymous expression is מקבל עליו ושותק in *Sifra Lev. 10, 3, 45 d*, 36; Baraitha Zebaḥ. 115 b, cf. R. Jeremiah b. Eleazar in 'Erub. 19 a top: After the sudden death of Nadab and Abihu, when Aaron learnt from Moses that his sons had been known to God, כיון שידע אהרן שבניו ידועי המקום שתק וקיבל שכר על שתיקתו, מיכן אמרו כל המקבל עליו ושותק סימן יפה לו, על ידי דוד הוא אומר דום לה׳ והתחולל לו, ועל ידי שלמה הוא אומר עת לחשות ועת לדבר, עתים לכל עתים שאדם שותק עתים שאדם מדבר, he kept silence and was rewarded for his silence; from here the scholars deduced that it is a good sign for him who accepts upon him (God's judgment) and keeps silence. So David said, Psalm 37, 7, 'Be silent to the Lord והתחולל לו; and Solomon said, Eccl. 3, 7, 'There is a time for silence, there is a time for speaking'. In Zebaḥ. the first proof reads: דום לה׳ והתחולל לו, אף על פי שמפיל לך חללים חללים את שתוק, even if He causes slain after slain to fall to thee, be thou silent. Cf. the statement of R. Taḥlifa of Caesarea in Deut. r. 1, 17; Buber, ליקוטים, p. 21, no. 19: מהו והתחולל לו אם באו עליך יסורין קבל אותן בחילה, if chastisements befall thee, receive them with trembling. Of the man who just lost a near relative by death, Baraitha Berakh. 19 a bottom says,

The friends of the deceased sit down and read the שמע, but he sits down and is silent, they rise and recite the prayer, but he rises and acknowledges the judgment of God as just. In the legendary accounts about R. Eleazar b. R. Simeon (before the year 200), when a police official in the service of the Roman administration in Galilee, he delivered several Jews to the Roman courts to be put to death; he was later on afraid lest he might have delivered up to death innocent men, and he received upon him, of his own free will, chastisements, קבל עליה יסורי, and became a leper, Baba meṣ. 84 b top. He regulated his pains by inviting them in the evening and by sending them away in the morning, in order not to be diverted from the study of the Torah; and his wife reported to the patriarch R. Yehudah I that her husband קבל עליה יסורי בתורה. In Baba meṣ. 85 a top it is stated that his chastisements came for love and went away for love; and also R. Yehudah I said that chastisements are beloved, and he received such upon him for thirteen years. In Tanḥ. משפטים 11, in an anonymous statement God asks Job which of the two visitations he would prefer, poverty or illness, and Job replied, I accept any chastisements in the world except poverty. In Gen. r. 1, 7 R. Yiṣḥak, about the year 300, in interpreting Jer. 10, 10 and Psalm 119, 160, says, Whatever decree (of visitation Thou decreest to come upon Thy creatures, they acknowledge Thy judgment as just and accept it in faith, and no one is in doubt so as to say that two Powers gave the Torah or two Powers created the world. In Gen. r. 9, 5 R. Simeon b. Lakish says that God will give a double reward to the righteous, as they were not liable to taste death, but accepted upon them the taste of death; and He will inflict double punishment upon the sinners, as the righteous who were not liable to die accepted upon them death on account of the sinners. See Bacher, Palaest. Amoräer, I, 416. Cf. the statement of the school of R. Yannai in Berakh. 63 b about the merit of the disciple who receives the master's reproaches in silence. About Aaron's silence in his misfortune see the words of R. Yosé the priest addressed to his master R. Yoḥanan b. Zakkai in ARN, XIV, 30 a top.

[1] An anonymous statement in Sifré Deut. 3, 23, 26, 70 b has: אף כל פורעניות שהיו באות על דוד היו מוכפלות שנאמר ואת הכבשה ישלם ארבעתים, רבי חנניה אומר ארבעתים שש עשרה, All the punishments that came upon David were doubled, as it says, 2 Sam. 12, 6, 'And he shall restore the lamb twice fourfold' (instead of four, Exod. 21, 37); R. Ḥananyah says, ארבעתים means the square of four, sixteen.

The praise bestowed on David for his piety, read into the verse by R. Akiba, rests on the generally accepted view of the Rabbis that all sufferings of the righteous men, except temptations as those of Abraham and Job, are sent by God for the purpose of purging away the few sins which they as human beings naturally commit. That was the belief of the ancient pious men;[1] and also R. Akiba's colleague R. Ishmael held[2] that suffering had an atoning effect,[3] and death, not the natural one at the conclusion of a ripe age, but an early, premature end completed God's pardon of even grave transgressions.[4] So David's present chastisement has already had a purifying effect, so that his prayer for a further, thorough washing of his sins by God is interpreted by R. Akiba as a request for more afflictions. About one hundred and sixty years before R. Akiba, the author of the Psalms of Solomon voiced the same religious belief. So he declared, 10, 1, 'Blessed is the man whom the Lord remembereth with reproving: and he is turned aside from the way of evil by affliction, that he may be cleansed from sin, lest he abound therein. (2) He that prepareth his back for stripes shall be cleansed: for the Lord is gracious unto such as patiently abide chastening. (14, 1) Faithful is the Lord unto them that love Him in truth: even unto such as abide His chastening. (13, 8) For He will admonish the righteous as a beloved son: and His chastening is as that of the firstborn. (3, 4) The righteous man despiseth not when he is chastened by the Lord; his good pleasure is continually before the Lord. (5) The righteous stumbleth and justifieth the Lord; he falleth and looketh to see what God will do unto him. (11) The sinner stumbleth and curseth his own life, the day of his birth and his mother's pangs'. This writer voices the old, biblical conviction that all afflictions of man come from God, and that not only the sinner but also the righteous is chastised by Him.[1] In visiting the latter God's object is to turn him aside from the path of evil into which he has exceptionally strayed, and to prevent him from departing further from his usual right course, and, at the same time, to cleanse him from the sins which he has so far committed. In thus chastising the righteous, God is not harsh, but deals with him gently,[2] as a loving father punishes his son, or his firstborn whom he loves specially and whom he only corrects to lead him back into the right path. As he knows God's purpose in afflicting the righteous, the good man, even when stumbling under the weight of the visitation, should neither say nor think that it was undeserved, as he was free from sin, but he should acknowledge the justice of God in inflicting upon him such chastisements. And even when these are so severe as to bring him down to the ground, he should give further consideration to God's purpose and His possible intentions in his case. Not only should he not murmur against God, but he should also regard himself happy that He visits him, and bear his sufferings patiently, as such attitude is an expression of man's love of God in truth. He must, moreover, heed the warning given by the afflictions and must not despise them, but evince readiness to repent.

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[1] Semaḥ. III end; Gen. rab. 62, 2; Büchler, Types, 111 ff.; see further 328 ff.

[2] Baraitha Yoma 86 a; Tos. 5, 8; Yer. VIII, 45 c, 5; Mekhil. Exod. 20, 7, 68 b ff.; Bacher, Tannaiten, I, 250; cf. Midr. Psalm 3, 3; 3, 1.

[3] In Mekhil. Exod. 21, 27, 85 b R. Ishmael says, As the slave regains his person from his master through suffering, Exod. 21, 26. 27, how much more does man regain his person (life) through suffering from God, as it says, Psalm 118, 18, 'The Lord hath chastened me sore; but He hath not given me over unto death'. His death was decreed on account of his sins, but God sent upon him suffering instead, and through that he regained his doomed life. Cf. Is. 40, 2.

[4] Therefore the criminal immediately before his execution by a Jewish court of Justice prayed in his last confession: תהא מיתתי כפרה על כל עונותי, May my death be an atonement for all my iniquities, Synh. 6, 2; Baraitha 44 b; Tos. 9, 5; Yer. VI, 23 b, 62. Accordingly, the martyr by his untimely and violent death would attain to the complete forgiveness of all his sins. About R. Neḥemiah's relevant statement in Sifrê Deut. 6, 5, 32, 73 b see further, p. 188.

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[1] Cf. Judith 8, 27, 'But the Lord doth scourge them that come near unto Him, to admonish them'.

[2] Tos. Nega'im 6, 7: ואין המקום דן את האדם אלא ברתיון, cf. Wisdom 11, 9; 12, 2. 10. 22-27.

He should not follow the way of the sinner, evidently Job, who, when grievous suffering was inflicted on him by God, cursed the day of his birth in Job 3, 3 ff., his life and even his mother's pangs of childbirth.

These ideas were, to a great extent, already enunciated by the author of Job 5, 17, 'Behold, happy is the man whom God correcteth; therefore despise not thou the chastening of the Almighty. (18) For He maketh sore, and bindeth up; He woundeth, and His hands make whole'. Dillmann's note on the passage bears closely on our problem, 'The gem of the whole speech is that sufferings are chastisements by God, the loving, merciful God, for the betterment of man and for his salvation. Man would despise them by anger and contrariness,[1] and accept them by repentance and a submissive and humble mind'. So also Psalm 94, 12 teaches, 'Happy is the man whom Thou instructest, O Lord, and teachest out of Thy law; (12) that Thou mayest give him rest from the days of evil, until the pit is digged for the wicked'. And Prov. 3, 11, 'My son, despise not the chastening of the Lord, neither spurn thou His correction; (12) for whom the Lord loveth He correcteth,[2] even as a father the son in whom he delighteth'.[3] But the biblical ideas were developed and carried further in the Psalms of Solomon, in so far as they introduced in explicit words both the object of cleansing and the purifying effect of suffering. They also insist that the man afflicted, instead of complaining and murmuring, should rather prepare his back for additional strokes, that is, he should examine himself and his past actions, as he is sure to find that he deserves severer punishments than those inflicted on him, for the loving and merciful God does not punish to the extent of man's deserts[1]; therefore he should prepare his mind for more affliction deserved.[2] The Psalms also emphasize that man's love of God demands patience and submission in affliction, as one hundred and fifty years later R. Joshua b. Hyrkanos proved from Job's firm trust in Him, even if He should kill him by His visitations, that Job had served God for the love of Him; and that patience and submission obtain for the afflicted man forgiveness, whereas cursing is the way of the sinner.[3] An original idea also seems to be the duty of the righteous to justify God in affliction,[1] an obligation so prominent in Rabbinic statements of the first and second centuries.[2] And already more than a century before the Psalms of Solomon Sirach expressed an instructive view on suffering, (2, 1) 'My son, if thou comest to serve the Lord, prepare thy soul for temptation. (2) Set thy heart aright, and constantly endure, and make no haste in time of calamity. (3) Cleave unto Him, and depart not, that thou mayest be increased at the latter end. (4) Accept whatsoever is brought upon thee, and be longsuffering in the changes of thy humiliation. (5) For gold is tried in the fire, and acceptable men in the furnace of humiliation. (6) Put thy trust in Him, and He will help thee: order thy ways aright, and set thy hope on Him'. The man whom Sirach viewed here had lately resolved to serve God and to order his life and his conduct according to His will. As he had no experience of the vicissitudes of life and of the trials to which the character of man might be exposed, the sudden attack of some serious calamity might shake his trust in God; and therefore he was first warned of the probable coming of troubles and then advised to prepare and to fortify his soul for the test. Sirach meant the firm resolution based on a knowledge of God's

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[1] This wrong attitude is termed in Job 5, 17: ומוסר שדי אל תמאס. and in Prov. 3, 11: מוסר ה׳ בני אל תמאס ואל תקץ בתוכחתו, מאס and קוץ.

[2] Cf. with that the later Rabbinic ייסורין של אהבה, R. Joshua b. Levi in Gen. rab. 92, 1; Tanḥ. מקץ B. 16, R. Yoḥanan in Berakh. 5a bottom.

[3] Cf. Deut. 8, 5; Judith 8, 27; Sirach 18, 14; Apoc. Baruch 13, 10.

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[1] Cf. Sifré Deut. 6, 5, 32, 73 b: R. Meir says, It is written in Deut. 8, 5, 'And thou shalt consider in thy heart, that, as a man chasteneth his son, so the Lord thy God chasteneth thee', Thou and thy heart know the deeds which thou hast done and the chastisements which I have brought upon thee, (and thou shalt find that) I have not brought upon thee (chastisements) to the extent of the deeds done by thee. Cf. Apoc. Baruch 78, 5, 'For what ye have suffered is disproportioned to what ye have done'; Baraitha Berakh. 19 a bottom; Deut. r. 2, 28.

[2] In Prov. 11, 31, 'Behold, the righteous shall be requited in the earth; how much more the wicked and the sinner!' The punishment of the righteous on earth, during his lifetime, for the few sins which he has committed seems to be taken for granted.

[3] With this should be compared R. Akiba's statement in Mekhil. Exod. 20, 23, 72 b, 'Ye shall not do with Me' means: ye shall not behave towards Me in the way in which others behave towards their gods: when prosperity comes to them, they honour their gods, ... but when calamity befalls them, they curse their gods, Is. 8, 21; but ye give recognition whether I bring to you prosperity or affliction. And again in Sifré Deut. 6, 5, 32, 73 a, on 'And thou shalt love the Lord thy God . . . with all thy might', R. Akiba says, As it is written 'with all thy soul', how much more is it thy duty to love Him with all thy might? why then state it? But it means: with whatever measure He measures to thee, whether the measure of prosperity or the measure of chastisement (love Him). In an anonymous Baraitha in Baba bath. 15 b it states, There was a pious man among the Gentiles, Job was his name, who only came into the world to receive his reward; when God brought upon him visitations and he began to blaspheme and to revile, God doubled his reward in this world in order to drive him from the world-to-come (in Yer. Sotah V, 20 d, 11: תני רבי חייה). In Baraitha in Kiddush. 40 b; ARN, XXXIX, 60 a top R. Eleazar b. R. Ṣadok says, God bestows prosperity in fulness upon the sinners in this world, in order to drive them (from the world-to-come) and give them as their portion the lowest step (of Gehinnom). In Pesikt. 73 a; Gen. r. 33, 1 and parallels R. Akiba says, God bestows prosperity and well-being in fulness in this world and pays the sinners for the few good deeds done by them in this world, in order to punish them in the world-to-come. In ARN, XXXII, 47 a R. Eleazar b. Parta in explaining Gen.

6, 3 says, God said, I shall not judge them until I have first given to them their double reward. When R. Simeon b. Yoḥai once visited the sick, he found a man swollen and suffering from a disease of the intestines, and uttering blasphemies against God; R. Simeon said to him, Instead of blaspheming thou shouldst pray for mercy for thyself, ARN, XLI, 65 b. In Midr. Tannaim Deut. 18, 13, 111 on Deut. 18, 13, 'Thou shalt be whole-hearted with the Lord thy God', R. Eliezer b. Jacob says, Thou shalt not criticize the chastisements, שלא תהרהר אחר היסורין, and so David said, Psalm 131, 1, 'Lord, my heart is not haughty, nor mine eyes lofty', for I have not criticized my Creator, שלא הרהרתי אחר קוני. Note that in the first half of the statement the criticism refers to the chastisements and in the second half to God Himself, as in Midr. Psalm 26, 2 in the text of the edition, as the verse adduced shows, Job kicked against God, while in the wording of the four manuscripts quoted by Buber it reads: ובעט ביסורין שהביא עליו הקב״ה, he kicked against the chastisements which God had brought upon him.

[1] Cf. Psalm 51, 6; Lam. 1, 18; 2 Chron. 12, 6.

[2] Cf. Baraitha Berakh. 19 a bottom.

intentions in trying man and of sufferings as a gauge of character,[1] not to lose patience, but to hold out, when God should send upon him any affliction, and to submit without murmuring to any visitation. Even in the greatest adversity he should cleave to God and not be moved from his trust in Him, for He will help him, if only he continues to walk in the straight path. (2, 11) 'He forgiveth sins, and saveth in time of affliction. (17) They that fear the Lord will prepare their hearts, (18) and will humble their souls in His sight, saying, We will fall into the hands of the Lord, and not into the hands of men: for as His majesty is, so also is His mercy'. This seems to refer to some grave visitation that threatens to overwhelm even the God-fearing man, but in which only one attitude is open to him: to accept the adversity in humility and to submit to God's decree in the fullest trust and confidence.[2]

7. But in R. Akiba's statement in Semaḥ. VIII, Job not only did not bear his afflictions patiently, but even kicked, בעט, against them, and spoke in vehement language against God who had sent the trying disease upon him. The Hebrew root denotes in Deut. 32, 15 the kicking out of the well-fed ox against his master,[3] and the same in the Rabbinic literature[4] and the Targums; in 1 Sam. 2, 29 the priests kick against God's sacrifices, meaning in a transferred sense their contemptuous treatment. The same connotations, literal and transferred, are to be found frequently in

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[1] A man who is acceptable to God is tested בכור עני, Is. 48, 10, in the crucible of calamity, not humiliation.

[2] See J.Q.R. 13, 1923, 486 ff.; 14, 1923, 53 ff.

[3] In Midr. Tannaim Deut. 32, 15, 194; Sifré Deut. 32, 15, 118, 136a R. Simeon b. Yoḥai illustrated בעט in the text by the case of a man who had a calf which he patted, scratched and fed with vetches in order to plough with it later on. When it grew up and the master put the yoke upon it, it jumped and broke the yoke and its poles, Jer. 2, 20; see Targum on Hos. 4, 16.

[4] E. g. R. Hosha'yah in Berakh. 32a says, This is like the man who had a lean cow of a large build; when he had fed her with vetches and she kicked out against him, he said, What caused it that thou kickedst out against me? the vetches with which I fed thee.

Rabbinic statements, and a few characteristic instances will suffice for their illustration. In an old Baraitha it is related how Miryam, of the priestly division of Bilgah, who had renounced Judaism and married a Syrian officer,[1] on the occasion when the Greeks entered into the Temple, kicked with her sandal against the altar and addressed it with words of taunt.[2] In Rabh's account, based on an early report, of the gradual organization of the elementary instruction in Palestine, at a certain stage of its progress the authorities instituted that teachers be placed in every district, and youths of sixteen or seventeen years of age were brought to them; but any youth with whom the teacher was angry kicked against him and went away.[3] Here, of course, it denotes disobedience, rebellion, as בעט in Deut. 32, 15 is rendered in the anonymous Baraitha[4] by מרד, and the latter is applied to the rebellious attitude to God of the generation of the flood, the inhabitants of Sodom, the builders of the tower of Babel,[5] the generation of the desert, the ten tribes and the generation of the Messiah. Similarly R. Simeon b. Yoḥai illustrated the word by the case of a man who spoiled his calf by too much attention and fed it with vetches, but when it grew up and its master put the yoke upon it to plough with it, it jumped and broke the yoke.[1] There is no doubt that also R. Simeon explained the word to mean: to rebel.

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[1] Sukkah 56b: כשנכנסו יוונים להיכל היתה מבעטת בסנדלה על גבי המזבח, see Rabbinovicz.

[2] In Tos. Sukkah 4, 28: וטפחה לה על גגו של מזבח, she beat upon the roof of the altar. When Titus entered into the Sanctuary, ARN, I, 2b, according to the corrector reading in Yalkut Makhiri Psalm 36, 21: שלקח זמורה בידו והיה מכה על גבי המזבח, he took a rod in his hand and beat with it upon the altar. See Schechter.

[3] Baba bath. 21a: ומי שהיה רבו כועס עליו מבעט בו ויצא; so in Baraitha Sotah 22a: קטן שלא כלו לו חדשיו is explained: זה תלמיד חכם המבעט ברבותיו, as a scholar who kicks against his masters; in Yer. III, 19a, 46 ר׳ סימון says: וזה שהוא גדול בתורה שלא בפירקו ומבזה גדולים ממנו, one who is very learned in the Torah before his time and despises men superior to him. Here בזה corresponds with בעט.

[4] Sifré Deut. 32, 15, 318, 136a; Midr. Tannaim Deut. 32, 15, 194.

[5] Tanḥ. נח 18 end: אף על פי שמרדו בו ובעטו ועשו מגדל, B. 28: אף על פי שמרדו; Yelamdénu נח 33, Grünhut ספר הלקוטים VI, 35b: אמר רבי אבא בר כהנא אף על פי שמרדו בו ובעטו ועשו מגדל, R. Abba b. Kahana uses both verbs next to each other of the builders of the tower.

As in R. Akiba's statement about Job in connexion with chastisements, בעט was used by his master Naḥum of Gimzō in very characteristic circumstances, similar to those of Job and on account of that very instructive for the problem of man's right attitude to suffering. A report,[2] according to its language and style a Baraitha, relates that Naḥum of Gimzō was blind in both eyes, both his hands were stumped, both his feet crippled and the whole of his body was full of disease (leprosy); he was bedridden in a shaky house, and the legs of his bed were placed in bowls filled with water to prevent ants from coming upon him. When one day, on account of the unsafe state of his house, his disciples wanted to remove his bed and him and to clear out the furniture, he said to them, My sons, clear out the furniture first and my bed afterwards; for ye may rest assured that, so long as I am in the house, it will not collapse. When after the removal of the furniture and of his bed the house collapsed, his disciples said to him, Master, as thou art a perfect righteous man, why hath such calamity befallen thee? He said to them, My sons, I caused it to myself: when one day I was in the road on my way to the house of my father-in-law with three asses loaded with food, drink and every kind of delicacies, a poor man met me, stopped me and said to me, Master, provide for me (some support)! I asked him to wait till I had unloaded the ass, but before I had the time to unload the ass, his soul had departed from him. I threw myself upon him and said, Mine eyes that spared not thine eyes shall be blind, my hands that spared not thy hands shall be stumped, and my feet that spared not thy feet shall be crippled; and my mind was not satisfied until I had said, My whole body shall be full of disease! When his disciples then said to him, Woe to us that we see thee in this state! he replied, Woe would be to me, if ye did not see me in this state. In searching his past deeds Naḥum discovered the cause of his terrible illness in his delay on one single occasion to feed a starving poor man who had appealed to him by the usual, in no way urgent request for assistance. This self-blame of Naḥum is sufficient to characterize the Rabbinic conception of the duties implied in Jewish charity as to its urgency and its degree. More relevant, however, to our investigation is Naḥum's last remark: not only did he as a righteous man not criticize, nor complain of, the terrible affliction sent upon him by God, but he even declared it fully deserved and brought on by himself. Consequently, he not only had resigned himself to it, but even added the remarkable declaration that it would be bad and unfortunate for him, if God had not inflicted upon him the horrible disease of leprosy that had so far maimed his limbs and blinded his eyes. He thought it unnecessary to explain the meaning of his last words to his disciples, as he presumed that they knew the principle and understood its implications: if God had not punished him for his sin during his lifetime on earth, he would have to expect the punishment due for it in the world to come, possibly be even deprived of a share in it, which, unlike the torment here, would be an eternal loss. It was the doctrine which R. Akiba, one of his disciples, later enunciated explicitly and fully and also applied practically.

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[1] See p. 175, note 3.

[2] Ta'an. 21 a.

The much shorter parallel account[1] exhibits only some minor differences in the explanation of the origin of Naḥum's disease, but in his last statement adds a detail of special interest. The report reads, 'When Naḥum of Gimzō was taking a present to the house of his father-in-law, he met a man smitten with leprosy who asked him for assistance to be taken from among the goods which he was carrying. Naḥum promised to give him some food on his return; but when on coming back he found the man dead, Naḥum, in turning towards him, said, "May the eyes that saw thee and received thee not, be closed, the hands that offered not a gift be maimed, and the feet that hastened not to give thee assistance be broken!" and all this befell Naḥum.[1] When R. Akiba went to see him and said to him, Woe to me that I see thee in such a state! Naḥum said, Woe to me that I see not thee in that state! When R. Akiba asked, Why cursest thou me? Naḥum replied,[2] And why kickest thou against chastisements?' By which of his remarks had R. Akiba done so? As at the sad sight of his master's wholly maimed and disfigured body he called out Woe! he regarded and declared his sufferings to be a grievous visitation; and as he also knew that God Himself had inflicted them, he rashly called the great calamity sent by God, terrible, and one that should not have befallen his master. That was an implied criticism of God's will and decree in this instance, and that attitude of R. Akiba was termed by Naḥum 'kicking against' visitations sent by God. On the other hand, Naḥum himself bore all his excruciating pains patiently, and as he regarded them as fully deserved for all his delay in offering food to the poor leper, he was glad and even rejoiced at them. As he expressed his keen regret that R. Akiba was not also visited by similar grievous afflictions, he evidently regarded chastisements not as a calamity unwelcome and hateful, but as a great boon designed by the loving Father in heaven for the salvation of His children whom He loved, for the removal of the few sins of the righteous man in order to turn him by the warning through purging afflictions back into the right path, to cleanse him from his few transgressions and to bring him forgiveness.[3] So long as R. Akiba enjoys a life not disturbed by visitations of a grave nature, his sins,—for the best and most cautious Jew cannot possibly be free from errors of some kind or other,—remain without forgiveness, and will have to be purged after his death in Gehinnom;[1] it is therefore, in Naḥum's view, unfortunate that Akiba is not subjected by God to sufferings as great as his master's.

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[1] Yer. Shekal. V, 49 b, 14.

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[1] It is to be noted that the punishments called down upon himself by Naḥum and executed by God are based on the principle of measure for measure. See Büchler, Types, 168, 1; Psalms of Solomon, 2, 14-17.

[2] ומה את מבעט בייסורין.

[3] Cf Midr. Tannaim Deut. 25, 3, 164.

In the same sense as his master Naḥum, R. Akiba himself terms Job's criticism of, and his rebellious attitude to, God for inflicting leprosy upon him, kicking, בעט,[2] as he reproached God in unseemly, unmeasured and offensive expressions, like 'Thou condemnest me, Thou contendest with me', meaning: without justification. If he did not attain to king David's standard who, while suffering, had asked God for additional visitation, nor to the degree of Abraham's piety who had submitted in silence to the terrible demand of God to sacrifice Isaac, nor approached the religious level of king Ḥezekiah who had prayed for the removal of the decree of his impending death, Job should have pondered his sins and repented, but should certainly not have called God an arbitrary and unjust Judge,[3] nor have dared declare himself free from all sin and demand of God the reason for smiting him.[1] As mentioned above (p. 174), instead of the term בעט some scholars use in connexion with chastisements sent by God the verb הרהר, criticize. So R. Eliezer b. Jacob[2] on Deut. 18, 13, 'Thou shalt be whole-hearted with the Lord thy God', said, 'Thou shalt not criticize the chastisements, and so David said, Psalm 131, 1, "Lord, my heart is not haughty, nor mine eyes lofty", I have not criticized my Creator'. On Malachi 2, 6, 'He walked with Me in peace and in uprightness', the anonymous Baraitha says of Aaron[3]: He criticized not God, just as Abraham had not criticized. The latter is said

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[1] See R. Yoḥanan about Job in Aggad. Gen. LXI, 121, 3.

[2] Cf. the anonymous illustration of this by the conduct of a drunken soldier against the Roman administration in a Palestinian town in Exod. r. 30, 11.

[3] In an anonymous statement of, no doubt, Amoraic date, in Yelamdénu Deut. נצבים 1, Grünhut, ספר הלקוטים V, 155 b ff.; Tanḥ. נצבים 1; B. 3; Yalkut Makhiri Psalm 79, 10, 'If ye ask, Why are the nations of the world deserving destruction, while we continue to exist? it is because, when chastisements come upon them, they kick against them and mention not the name of God, while Israel, when chastisements come upon them, humble themselves and call upon the Name of God, Psalm 116, 3. 4'. Accordingly, kicking is the opposite of humble submission. In Pesikt. rab. 35, 160 b, 2. God says of Israel, I have brought upon them in this world, in every generation and at all times chastisements, and they kicked not against them. Cf. also R. Ḥama in Exod. rab. 38, 3. In Yelamdénu דברים 13, Grünhut, ספר הלקוטים V, 91 a; Tanḥ. דברים B. 4, p. 3 a: דום לה׳ והתחולל לו, צפה להקב"ה דכתיב טוב ויחיל ודומם, ואומר הוחילי לאלהים, אם הביא עליך ייסורין אל תהיה מבעט בהן אלא הוה מקבלן כחוללים. דבר אחר מהו דום לה׳, קבל עליך את הדין אפילו אתה נעשה חלל על שמו של הקב"ה כמו שאמר איוב הן יקטלני לו איחל, on Psalm 37, 7; Threni 3, 26; Psalm 42, 6 the unnamed teacher says, 'If He brings upon

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thee chastisements, kick not against them, but accept them like dances (?), or accept God's judgment upon thee, even if thou shouldst be slain for the Name of God', as Job 13, 15 said, 'Though He slay me, yet will I trust in Him'. See above, p. 168, note 2 the statement of R. Taḥlifa of Caesarea on the same verse. In Tanḥ. תולדות B. 16 in an anonymous statement Isaac says to Jacob, Whenever distress befalls thy brother Esau, he begins to blaspheme and to revile; but when chastisements befall thee, subdue thy passion and provoke not with thy voice thy Creator, for if thou shalt talk lightly with thy voice, the hands of Esau will search thee. Here for kicking blasphemy and reviling are substituted, the antithesis is self-control; so also in Exod. rab. 31, 3; Tanḥ. משפטים 8; Yalkut Makhiri Psalm 41, 3: God proves the poor, whether he can accept chastisements without turning angry; if he stands the test, and kicks not, &c.

[1] Cf. R. Nathan in Sifré Num. 12, 19, 104: God informed Miryam and Aaron of their offence against Moses and then decreed the ban against them, in order that they should not demand, as Job 10, 2 did, 'Make me know wherefore Thou contendest with me'.

[2] Midr. Tannaim Deut. 18, 13, 111: שלא תהרהר אחר היסורין . . . שלא הרהרתי אחר קוני; also in 110 b R. Eliezer הקפר in the parallel to the anonymous Baraitha in Ḥagig. 11 b: שלא תהרהר אחר דרכי המקום, Thou shalt not criticize God's ways; Mekhil. R. Simeon Exod. 12, 29, 22: שלא יהו יושבין ומהרהרין הרהורין רעים ואומרים כבר הגיעה שעה ולא נגאלנו . . .

[3] Sifra Lev. 10, 4, 46 a; Lev. rab. 3, 6: בשלום ובמישור הלך אתי, שלא הרהר אחר המקום כדרך שלא הרהר אברהם. Of Abraham R. Eliezer b. R. Yosé says in Baraitha Synh. 111 a: הרי כמה פעמים נגליתי על אברהם יצחק ויעקב באל שדי ולא הרהרו על מדותי ולא אמרו לי מה שמך, 'God said to Moses, See, I revealed Myself several times to Abraham, Isaac and Jacob as God Almighty, and they neither criticized My character nor asked Me, What is Thy name?' In Baba bath. 15 b R. Yonathan b.

by R. Eliezer b. R. Yosé in the Baraitha not to have criticized God's dealings with men. The meaning of the term is evident from the explanation of 'The Rock, His work is perfect', Deut. 32, 4, in the anonymous Baraitha,[1] 'His dealings with all human beings are perfect, and we must not criticize the ways of God even as far as the slightest wrong to man'. And R. Yiṣhak, either the Tanna of the second century or the Amora of the middle and the third quarter of the third century, interpreted [2] 'all that were enfeebled in thy rear', Deut. 25, 18, 'They are those whispering against Thee, they who criticized God's ways', as it says, Exod. 17, 7, 'They tried the Lord, saying, Is the Lord among us, or not?'.

The term for criticizing God in the same statement of R. Yiṣhak is different in Pesiktha rabbathi [3]: קורא תגר; and as the term is otherwise not found either in Baraithas in the Talmuds or in the Tannaitic Halakhic Midrash works, it is doubtful whether it was used there by the Tanna R. Yiṣhak and in another passage by R. Simeon b. Yoḥai,[4] or it is in both statements due to the re-telling Haggadist of the third or fourth century, for otherwise only scholars of that period employ the term. So R. Levi in the second half of the third

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Eleazar of the middle of the third century, in using the continuation of the Baraitha quoted says of Abraham, 'Even when he found no place for burying Sarah until he purchased the cave for four hundred silver shekels, he criticized not God's character. Cf. דן אחריך in Aggad. Cant. 1, 4, 15, 350.

[1] Sifré Deut. 32, 4, 307, 132 b: תמים פעלו, פעולתו שלימה על כל באי העולם ואין להרהר אחר מדותיו אפילו עוולה של כלום.

[2] Midr. Tannaim Deut. 25, 18, 170: כל הנחשלים אחריך, אמר רבי יצחק כל הנלחשין אחריך, אלו שהיו מהרהרין אחר מדותיו של הקב״ה כענין שנאמר להלן היש ה׳ בקרבנו אם אין; Pesikt. 21 b.

[3] 12, 53 a: רבי יצחק אומר מהו כל הנחשלים אחריך, כל מי שהיה קורא תגר אחר הקב״ה היש ה׳ בקרבנו.

[4] In Tanḥ. כי תצא 2; Yalkut Makhiri Psalm 94, 14 R. Simeon b. Yoḥai says, If a man loses a son by death, לא יהא קורא תגר שהבן מרצה אותו להקב״ה . ., he must not reproach (God), for the son will reconcile him to God.

century says,[1] ‘Because Job complained and said, “He that would break me with a tempest, and multiply my wounds without cause”, God has brought all these chastisements upon me without cause’.[2] R. Ḥaninah b. Papa says,[3] ‘Had Job not complained, he would have been mentioned in the daily prayer next to the patriarchs as follows: God of Abraham, God of Isaac, God of Jacob and God of Job’. In interpreting Abraham's question to God, ‘O Lord God, whereby shall I know that I shall inherit it?’ Gen. 15, 8, R. Ḥama b. Ḥaninah said,[4] He did not say so as one who complained, but merely asked, ‘By what merit shall I inherit it?’[5] And with the words אחר מדותיו של הקב"ה governed by הרהר, קרא תיגר also is connected in the statement of R. Simon, about the year 270–300,[6] ‘He who says in his prayer to God, “Thy mercies reach the nest of a bird”, implies thereby, “but me Thy mercies have not reached”, and complains by that of God's ways’. And in connexion with the visitations of Job an anonymous statement[7] declares, ‘Happy is the man who, when chastisements befall him, subdues his anger and does not complain of God's attribute of justice; had Job, when chastisements came upon him, subdued his anger and not complained of God's attribute of justice, he would have attained to great distinction'. And in another general warning about the right attitude to chastisement an anonymous Haggadist interprets Is. 26, 20, 'Come, my people, enter thou into thy chambers', thus[1], Inspect the chambers of thy heart and see that I have not brought chastisements upon thee according to the measure of thy iniquities; and when chastisements befall thee, open not thy mouth, and complain not of God's attribute of justice, but 'shut thy doors about thee', why? 'hide thyself for a little moment, until the indignation be overpast', the chastisements come not to last for ever, but pass. To this is to be added the statement of R. Pinḥas in the name of R. Ḥanin of Sepphoris regarding Abraham,[2] 'Happy is the man whom Thou chastisest', Psalm 94, 12, When Abraham had left his native country and famine came suddenly upon him, he was not angry, nor did he complain: so also thou, when chastisements come upon thee, be not angry, nor raise accusations.[3] The ideas in all these statements are the same as in R. Akiba's description of Job's criticism of God's justice, and merely represent a re-statement, or at best a slight development, of the old disapproval of Job's attitude to the visitations sent upon him by God.

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[1] Tanḥ. תזריע 6; B. 8: לפי שאיוב קרא תגר ואמר אשר בשערה ישופני והרבה פצעי חנם, על חנם הקב"ה הביא את כל היסורין האלו עלי; in Aggad. Genes. LXI, 1 anonymously: וכן חביריו של איוב אומרים לו מה אתה מצר על הייסורין שבאו עליך וקורא תגר, and so his friends told Job, Why art thou distressed at the chastisements that have befallen thee, and why art thou complaining? Job 9, 17. Cf. Sifré zuta Num. 27, 14, 160.

[2] N. Brüll in Jahrbücher VIII, 1887, 138 thinks that the statement was originally based on Job 28, 25, where the synonymous רוח and סערה formed the basis of the whole Haggadic exposition. The parallel in Lev. rab. 15, 3 does not include the part about Job.

[3] Pesikt. rab. 47, 189 b: אילו לא קרא תגר כשם שאומרים עכשיו בתפלה אלהי אברהם אלהי יצחק ואלהי יעקב כך היו אומרים ואלהי איוב.

[4] Gen. r. 44, 14, Theodor: רבי חמא בר חנינה אמר לא כקורא תיגר אלא אמר לו באי זה זכות; 40, 2; Bacher, Paläst. Amoräer I, 458, 3.

[5] Cf. Mekhil. Exod. 12, 1, 2 b top: וכן אתה מוצא בברוך בן נריה שהיה מתרעם לפני המקום.

[6] Yer. Berakh. V, 9 c, 20: רבי יצחק בשם רבי סימון כקורא תיגר על מדותיו של הקב"ה על קן צפור הגיעו רחמיך ועל אותו האיש לא הגיעו רחמיך.

[7] Pesikt. rab. 47, 189 b bottom: אלא כיון שבאו ייסורים על איוב אילו כבש כעסו ולא קרא תגר אחר מדת הדין, and several times.

The word בעט is again used by R. Akiba in his definition of the way in which afflictions should be received, based on Job's answer to his wife, Job 2, 10, 'Thou speakest as one of the impious women speaketh. What? shall we receive good at the hand of God, and shall we not receive evil?' Job, in R. Akiba's exposition, illustrates that declaration thus, 'The men of Sodom and the men of the generation of the flood who were כעוררין during their prosperity, when the punishment came upon them, accepted it against their will: should we who were agreeable during our prosperity not be agreeable in our punishment? Moreover, man should rejoice at chastisements more than at prosperity, for even if he continued in prosperity throughout all his life, his transgressions would not be forgiven; but through what are his transgressions forgiven? through chastisements'.[1] Now, Yalkut reads for the difficult כעוררין or כעורים the more intelligible בועטין, and it is not easy to decide which of the two represents the original word. A comparison with the parallel statement[2] concerning the conduct of the men of Sodom and of the generation of the flood, 'So thou findest that the men of the generation of the flood only rebelled against God on account of food, drink and ease; they said, We need Him not; God said, As ye are exalting yourselves about the blessing with which I benefited you, I shall punish you with the same'. Rebellion and overbearing against God would suitably be expressed by 'kicking' against God and His mastery over the earth. The word is used in connexion with chastisements in another shade of meaning in the report describing R. Akiba's fortitude in his last hour.[3] When amid the most cruel torments ordered by Tineius Rufus, the governor of Judaea, R. Akiba recited the שמע and laughed, the Roman said to him, 'Old man, thou art either a sorcerer or kicking against chastisements'; but the scholar replied, 'I am neither a sorcerer nor kicking against chastisements'. As the governor probably expected that the tortures would make the old teacher cry or curse, or pray for mercy, but only saw joy and supernatural indifference to pain, he suggested that R. Akiba bade defiance to God and His visitations and bore them in scorn of His will and without a sign of repentance. In another instance,[1] R. Aḥa, of the middle of the fourth century, makes Nebuzaraddan address these words to Jeremiah, 'See, thou art one of three persons, either a false prophet, or one who kicks against chastisements, or one who sheds blood. . . Thou art kicking against chastisements, in so far as I wish to do nothing harmful to thee, but thou wishest to do harm to thyself and to declare thereby, Chastisements are not counted by me for anything.' As the last sentence shows, also here 'kicking against chastisements' means utter indifference to such.

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[1] Tanḥ. ויצא B. 5, 74 b; Aggad. Genes. XLVII, 94.

[2] Gen. r. 92, 1: ולא הקפיד ולא קרא תגר . . . לא תהא מקפיד ולא קורא קטיגור.

[3] Cf. Apoc. Baruch 78, 5, 6.

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[1] Mekhil. Exod. 20, 23, 72 b; Sifré Deut. 6, 5, 32, 73 a ff. The meaning of כעוררין is difficult, as, unlike the men of Sodom, the generation of the flood did not protest against the wonderful prosperity granted to it by God and described, according to Rabbinic interpretation, in Job 21, but against God whom it would not recognize as the giver of the blessings. Sifré reads כעורין, ugly, and, though corresponding well with נאים, it does not seem to be the original word, but, as the easier of the two, a correction of the more difficult כעוררין, in spite of the repeated use of כעור in Sifré: והלא דברים קל וחומר ומה אם מי שהוא כעור בטובה נאה בפורענות כל שכן מי שהוא נאה בטובה שיהא נאה בפורענות . . But see Sifré Deut. 11, 15. 16, 43, 81 a, where the men of Sodom and the generation of the flood declared that they needed not God's blessings.

[2] Sifré Deut. 11, 15, 43, 80 b ff.; see above, p. 112 ff.

[3] Yer. Berakh. IX, 14 b, 59.

R. Akiba again expressed his view of the right attitude to suffering inflicted by God in very instructive circumstances. When with his colleagues, R. Tarfon, R. Joshua and R. Eleazar b. 'Azaryah, he visited his master R. Eliezer b. Hyrkanos in his illness and his three friends one after the other expressed their appreciation of R. Eliezer's importance for Israel, R. Akiba said,[2] חביבים יסורים, Beloved are chastisements'. When, on hearing this strange declaration, R. Eliezer asked his disciples to support him, and, sitting up, questioned R. Akiba about his biblical source, the latter deduced that sentence from the biblical account of king Manasseh's repentance which was brought about only by the severe chastisements inflicted upon him by God.[3]

[1] Midr. Threni rab., Prooem. 34; Pesikt. rab. 29, 137 a.

[2] Sifré Deut. 6, 5, 32, 73 b; Baraitha Synh. 101 a bottom.

[3] 2 Chron. 33. 11–13, 18, 19. R. Akiba's disciples, R. Simeon b. Yoḥai and R. Neḥemiah took up that principle and proved it from various biblical passages and by arguments, and, at the same time, considered the effects of the visitations upon the mind of the sufferer. The son of R. Akiba's disciple R. Yehudah b. Ilai, R. Yosé, added that chastisements are beloved to God, as His presence rests upon the man on whom such are inflicted, Sifré l. c.

When one day R. Eliezer was seriously ill [1] and in his pains said to his disciples who had come to visit him, There is mighty wrath in the world (meaning the grave visitation sent by God upon him), they began to weep, but R. Akiba laughed. This his strange attitude he explained thus, ‘So long as I saw that the wine of my master never turned sour, his flax was never damaged, his oil was never spoiled and his store of honey never fermented, I thought that my master, God forbid, was receiving his world (his reward in his lifetime); but now that I see my master suffering, I rejoice (for I presume that his reward is being reserved for the world to come)’. The pains of the grave illness were sent by God to punish R. Eliezer on earth for his few sins, in accordance with the principle enunciated by R. Eleazar b. R. Ṣadok,[2] R. Eliezer's older contemporary in Jerusalem before the year 70 and later in Lydda and Jamnia, ‘God brings chastisements upon the righteous in this world in order that they may inherit the world to come’. But R. Eliezer himself did not put that interpretation upon his sufferings, as he remarked to R. Akiba, ‘I have not missed of the whole Torah anything (so that I am not afflicted for sins)’; R. Akiba, however, retorted, ‘Thou hast taught us, Master’, Eccl. 7, 20, ‘For there is not a righteous man upon earth, that doeth good and sinneth not’.[3] Consequently, the sufferer should in fact rejoice at his affliction, as R. Akiba himself explicitly declared,[1] ‘Moreover, man should rejoice at chastisements more than at prosperity, for chastisements bring forgiveness for his transgressions’.[2] And his disciple R. Nehemiah added,[3] ‘Beloved are chastisements, for just as sacrifices appease (atone), so also chastisements appease (atone), as Lev. 26, 41 says of Israel's sufferings in exile, “and they shall procure pardon for their iniquities”; and they are even more efficacious, as sacrifices atone through the sinner's property, while suffering atones with his body, Job 2, 4’. So R. Akiba taught that man's love of God imposed upon him the duty to accept all afflictions sent by God not only without murmur, but also in humility, and even with joy, as they come from God and are intended by Him to purge the righteous from his sins and to secure for him a share in the world to come. In R. Akiba's opinion then Job in his attitude to his illness was not actuated by

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[1] Synh. 101 a.

[2] Baraitha Kiddush. 40 b; ARN, XXXIX, 60 a.

[3] No other instance of a scholar occurs to my mind that thought himself free from sin, except R. Simeon b. Yoḥai in Sukkah 45 b; Yer. Berakh. IX, 13 d, 64; Gen. rab. 35, 2, when he said, ‘I have seen that those worthy of the world to come are few; if they are a thousand or a hundred, I and my son are of them; if they are two, I and my son are of them. I can free the whole world from punishment from the day on which I was created till now, and if my son Eleazar is with me, then from the creation of the world till now, and if Yotham, the son of ‘Uzziyyah, were with us, then from the creation of the world to eternity’. See Rabbinovicz and Bacher, Tannaiten II, 74 ff.; Königsberger in הקדם II, 155. Rashi on 2 Chron. 27, 2 has instead: וזהו שאמר רבי שמעון בן יוחאי במסכת סוכה, אלמלא יהיה אברהם אבינו מקבל עליו כל עונות הדורות עד לו אני הייתי מקבל עלי חטאי הדורות מאברהם עד לי ואם היה יותם בן עוזיהו עמי

היינו מקבלין עלינו מאברהם ועד סוף הדורות . ., ‘This is what R. Simeon b. Yoḥai says in the tractate of Sukkah, If our father Abraham took upon him all the iniquities of the generations to his time, I should take upon myself the sins of the generations from Abraham to my time; and if Yotham, the son of ‘Uzziyyah, were with me, we should take upon ourselves the sins from Abraham to the end of the generations’. In R. Simeon's statement in Sukkah Abraham is not mentioned, but in Yer. the passage reads: רבי חזקיה בשם רבי ירמיה, כך היה רבי שמעון בן יוחי אומר, יקרב אברהם מן גביה ועד גביי ואנא מיקרב מן גביי ועד סוף כל דרי ואין לא יצרף אחיה השילוני עמי ואנא מקרב כל עמא, where קרב means: protect or atone for sins. Rashi combined the two versions of the statement from memory or from a secondary source. In ‘Erub. 64 b ff. R. Eleazar b. ‘Azaryah says, I can free the whole world from punishment from the day of the destruction of the Temple till now, for it says, Is. 51, 21, ‘Therefore hear now this, thou afflicted, and drunken, but not from wine’. But this is an idea totally different from that of R. Simeon, as R. Eleazar did not claim for his personal merit the power to effect the removal of the punishment incurred by generations, but was pleading the argument that since the destruction of the Temple the Jews, numbed by grief, were not responsible for their sins. See Bacher, Tannaiten, I, 226.

[1] Mekhil. Exod. 20, 23, 72 b; Sifró Deut. 6, 5, 32, 73 b; see above, p. 185.

[2] Cf. Midr. Tannaim Deut. 25, 3, 164.

[3] Mekhil. Exod. 20, 23, 73 a; Sifró Deut. 6, 5, 32, 73 b.

the love of God, but only by the fear of Him; but Abraham who accepted in silence God's demand that he should sacrifice his son, and at once proceeded to its execution was, no doubt, serving God for the love of Him.

8. The attitude of R. Akiba's fellow-martyrs who suffered death in Palestine in the reigns of Trajan and Hadrian without questioning God's decree, and His justice and providence, was dictated by their love of God. The statements which they made about their own fate, immediately before they met their end, and their meditations about the probable causes that determined God's severe sentences in their cases constitute valuable and instructive information about the Rabbinic interpretations and conceptions of suffering sent by God, and throw welcome light upon Rabbinic religious thought in general and the Rabbinic attitude to visitations in the first third of the second century in particular. First, several parallel accounts report the violent death of two scholars, Simeon and Ishmael, at the hands of the Roman executioner. The shortest statement relates,[1] 'When R. Ishmael and R. Simeon were being led to be executed, R. Simeon said to R. Ishmael, My Master, my heart goeth out, because I know not why I am to be slain. R. Ishmael replied, Hast thou ever in thy life kept a man waiting who came to thee with a civil case or with a question (about a religious law), until thou hadst drunk thy cup or put on thy sandals or wrapped thyself in thy mantle, whereas the Torah says, אם ענה תענה, meaning delay, whether long or short? R. Simeon then said to him, Thou hast comforted me, my Master. When R. Simeon and R. Ishmael had been put to death, R. Akiba said to his disciples, Prepare yourselves for chastisements, for if any favourable change were destined to come in our generation, only R. Simeon and R. Ishmael would have received it; but as it was revealed and known to the Creator that great chastisements were about to come in our generation, He removed those men from our midst, as it says, Is. 57, 1, "The righteous perisheth,

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[1] Mekhil. Exod. 22, 22, 95 b.

and no man layeth it to heart, and godly men are taken away, none considering"; and further it says, Is. 57, 2, "He entereth into peace, they rest in their beds, each one that walketh in his uprightness"; and it finally says further in Is. 57, 3, "But draw near hither, ye sons of the sorcerers, the seed of the adulterer and the harlot".[1] As the names of their fathers are not stated in this early report, but were freely and without any justification added in the later parallels, it is impossible to identify the two scholars with even any degree of probability.[2] Their and their colleagues' violent end was predicted on his death-bed by Samuel the small;[3] and as the remarks of R. Akiba show, the two were men of importance and of piety, and by those their distinctions brought blessing to their contemporaries and protected their generation from grave calamities. God had to remove them from this world to be free to execute His decree concerning the infliction of the visitations deserved by the people.[4] As questions of religious law were brought before them, they were scholars; but wherein their special merits consisted is not indicated by R. Akiba, as he assumed that his disciples knew it. Why the Roman authorities in Palestine put them to death is not stated; but, as will be shown presently, it is most probable that they had taken part in the abortive movement which aimed at the rebuilding of the Temple under Trajan in the year 116/17 and which caused the death of several of the political and the religious leaders and supporters of the cause.

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[1] Cf. the wording in Yalkut Makhiri Is. 57, 1, 216 ff.

[2] See Bacher, Tannaiten, I, 234, 3. Krauss in השילח 42, 1925, 19 ff. did not attempt to elucidate the point.

[3] Tos. Sotah 13, 4; Baraitha Yer. IX, 24 b, 37; b. Synh. 11 a; Semaḥ. VIII; Bacher, Tannaiten, I, 370, 4.

[4] The Rabbinic idea of the protecting power of the righteous for their generation is found here, as far as I can see, the first time explicitly stated by R. Akiba. Of course, it is of an earlier origin, and is clearly stated in Ezek. 14, 14. 16. 18. 20, and should be traced in the intermediary sources. Apoc. Baruch 2, 2; 14, 6. 7 and elsewhere takes the idea for granted, just as R. Akiba, a contemporary of its author. R. Joshua b. Ḥananyah in 'Erub. 101 a answers the attack of a Min upon Israel by his interpretation of Mic. 7, 4, 'The good men in our midst protect us'. R. Ḥaninah b. Dosa, of the first century, is described by R. Dimi in Ḥagig. 14 a: זה שנושאין פנים לדורו בעבורו למעלה כגון רבי חנינא בן דוסא, as one for whose sake consideration is shown (by God) to his generation. Cf. Tos. Sotah 10, 3. 5–10; 11, 1–5. 10; 11, 1–4; 'Arakh. 17 a; Pesik. 73 b; Baba bath. 91 b; Ta'an. 24 b bottom.

The two scholars regarded their end as decreed and brought about by God alone, and the Romans were to them merely His instruments. Both, or at least one of them, held that they had fully deserved their fate for sins committed, so that they accepted their impending death without a murmur or a moment's questioning, or even without a thought of a premature end undeserved. But while R. Ishmael did not even go so far as to search his conscience for any sin to account for his unnatural death,—for his early and natural death he would not have looked for any special reason,—R. Simeon was pained, as indicated by the words, 'My heart goeth out because I know not why I am to be *slain*', by his impending execution, because he could not establish the sin or sins for which that was the deserved punishment. His search might, in addition, have been prompted by his desire to justify God and His justice, or perhaps he wished to specify a definite sin in his confession before his execution.[1] The elder of the two, R. Ishmael, suggests to him a sin possibly committed by him in his public activities, and it is most instructive for the standard of morality which these teachers applied to their own actions, omissions and public duties. R. Ishmael regarded the assumed delay of his friend for even only a few minutes in attending to the law-suit or to the religious-legal question of a fellow-Jew to be a sufficiently grave sin to account for the infliction by God of a violent death. It was not in the fear of his approaching execution or in the agonies of his impending death that the scholar suggested some small, unimportant failure in duty as an explanation, for he adduced the biblical source for the grave sin and the penalty for its transgression, death by the sword. The offence itself, it is true, is neither explicitly stated nor even indicated in the verse quoted; but it was evidently the adopted interpretation of ענה תענה, 'if thou afflict them in any wise', Ex. 22, 22, based on the denotation of another root meaning delay in justice or in answering a religious question, and the punishment for the real affliction, 'and Mine anger shall be kindled, and I shall kill you with the sword', was applied to the delay read into the words.[1] At the same time it rests on the doctrine that God punishes also for moral sins by death. The idea is biblical, as the sons of 'Eli, the priests, fell in battle for their profanation of God by their immoral and irreverent conduct in the Temple, 1 Sam. 2, 22. 29. 34, as also Koraḥ and his followers died by the fire of God, Num. 16, 32–35; 17, 3. It is declared as the law of God in Ezek. 18, 4–32, and applied in Prov. 8, 36, 'But he who misseth me (wisdom) wrongeth his own soul; all they that hate me love death', and frequently; in Sirach 19, 4, 'And he that sinneth shall offend against his own soul', and Psalms of Solomon 9, 9, 'Whoso doeth righteousness layeth up for himself life at the Lord's hand: and whoso doeth wickedness is guilty of his own soul to destroy it'. In early Rabbinic accounts the same doctrine is presupposed as accepted. A high-priest who in his sacrificial service on the Day of Atonement had followed the Sadducean interpretation of Lev. 16, 12. 13, disappoved after the event by his father, died a few days later on account of his deliberate wrong act.[2] Another high-priest died within a few days after he had attempted to burn a Red Heifer according to the Sadducean rule; in order to prevent his application of the Sadducean requirement of strict levitical purity, R. Yoḥanan b. Zakkai touched and defiled him and, in order to disqualify him for further service, slit his ear; for that act the high-priest threatened to punish the scholar.[1] When the levitical singer Joshua b. Ḥananyah proposed to assist the levitical gate-keeper Yoḥanan b. Gudgeda in closing the gate of the Temple, the latter remarked to him, Withdraw, for thou art guilty against thine own soul, as I am of the gate-keepers and thou art of the singers.[2] This strict sub-division of the various duties of the Levites in the Temple and the extension of the death penalty from the non-priest or the Levite who approaches the altar, to the Levites within their own services in the Temple points to a tendency of extreme strictness in the assignment of duties and, at the same time, to a readiness of extending the application of the death penalty, though not by the hands of man, but by God Himself.

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[1] See Baraitha Synh. 44 b and parallels.

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[1] In Baraitha Shabb. 32 b ff., cf. Abōth 5, 8, R. Eleazar b. Yehudah, a colleague of R. Akiba and a disciple of R. Joshua b. Ḥananyah, says: בעון עינוי הדין ועיוות הדין וקלקול הדין וביטול תורה חרב וביזה רבה.., and names the sword as the punishment for delay in justice and for perversion and corruption of justice. Bacher, Tannaiten, I, 442; Sifré Deut. 3, 26, 29, 71 b.

[2] Yer. Yoma I, 39 a, 55; Tos. 1, 8.

Hillel had extended the non-biblical death-penalty at the hands of God to the conduct of the teachers and to the neglect of the study of the Torah, when he said, Abōth 1, 13, 'He who doth not learn is guilty of death'.[3] R. Ḥaninah b.

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[1] Tos. Parah 3, 8.

[2] Sifré Num. 18, 3, 116, 36a.b; cf. the parallel in Baraitha 'Arakh. 11 b; Yalkut I, 752 on Num. 18, 3. Cf. Sifré Lev. 12, 4, 58d, 8; Tos. Shebu ōth 3, 1.

[3] In 2 ARN, XXVII, 29 a the scholars say, He who attends not on scholars is guilty of death, and he who attends on them, but fulfils not (what he learns from them) is guilty of multiplied death. In Baraitha Nedar. 62 a R. Eleazar b. R. Ṣadok, in extending Hillel's statement, Abōth 4, 5; 1, 13, 'He who makes a worldly use of the crown of the Torah shall waste away', says, As Belshazzar who for using the holy vessels which had become common was uprooted from the world, all the more should he be uprooted who uses the crown of the Torah. In 2 ARN, XXVII, 28 b, cf. 29 a, the same statement reads: Belshazzar lost his life not only in this world, but also in the world to come. In Sifré Deut. 1, 9, 9, 67 a the judge who by his judgment robs the poor is deprived by God of his life, according to Prov. 22, 22. 23; and on the same verse Sifra Lev. 19, 10, 88 c top says, Him who robs the poor of the corner of the field God deprives of his life. Cf. Bacher, Paläst. Amoräer I, 63. In Semaḥ. VIII it states: When the news of R. Akiba's execution in Caesarea reached R. Yehudah b. Babha and R. Ḥaninah b. Teradyon, they girded their loins with sackcloth, rent their garments and said (to their disciples and the people), Brethren, listen to us! R. Akiba was not slain, because he was suspected of robbery, nor because he failed to toil in the Torah with all his strength, but he was slain as a warning sign.

Gamaliel[1] says that for flattering king Agrippa by calling him 'brother' in the sense of Deut. 17, 15 many lost their lives, or, as R. Nathan expresses it,[2] the Jews incurred utter destruction. R. Tarfon, the priest, who survived the destruction of the Temple and taught in Lydda, and in his practice followed the view of the Shammaiites, related how once, when in following them he recited the שמע in the road in a lying position, he exposed himself to the danger of an attack by highwaymen; his colleagues remarked to him, Thou wouldst have deserved to be answerable for any accident, as thou didst transgress the rule of the Hillelites.[3] On an early tradition received by him from his teachers, R. Eliezer b. Hyrkanos predicted a speedy death to a disciple for having given a decision on a point of the religious law in the master's presence; and R. Eliezer accounted by the same sin for the death of Nadab and Abihu in Lev. 10, 1 ff.[4] On his death-bed he predicted a violent death to R. Akiba and others of his colleagues who had come to visit him in his last illness, because, on account of the ban imposed upon him by R. Gamaliel II and the school of Jamnia, they had not sought his instruction.[5] When R. Gamaliel II was one day overtaken at sea by a great storm that threatened to destroy his boat, he thought that it was due to his imposition of the ban mentioned upon R. Eliezer.[6] In all these instances death inflicted by God was due not to any transgression for which the Pentateuch imposes death at the hand of God, but they represent offences of a moral nature, though of

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The remark presupposes Hillel's rule according to which a teacher who does not study the Torah is guilty of death.

[1] Yer. Sotah VII, 22a, 38; see above, p. 64.

[2] Baraitha Sotah 41b; Tos. 7, 16; in Midr. Tannaim Deut. 17, 15, 104 an unnamed teacher says, From that hour God's decree was sealed that our fathers shall go into exile for having flattered.

[3] Berakh. 1, 3; in Yer. 1, 3b, 54 R. Yehudah b. Pazzi, in b. Berakh. 11a bottom R. Naḥman b. Isaac took that to mean: guilty of death.

[4] Sifra Lev. 10, 2, 45c; b. 'Erub. 63a; Yer. Shebi'ith VI, 36c, 7; Pesikt. 172a; Lev. r. 20, 6, and parallels. Cf. R. Ḥaninah b. Dosa in Berakh. 33a. See below, p. 383 ff.

[5] Baraitha Synh. 68a; ARN, XXV, 40b.

[6] Baraitha Baba meṣ. 59b.

varying character, and show that the underlying principle was in the first century generally adopted by the scholars; and also by R. Ishmael and R. Simeon, when the former suggested to the latter the failure of immediate attention to parties who applied to him for legal or religious advice, as the sin that accounted for his violent death. R. Simeon accepted that suggestion and felt comforted, though he did not thereby admit that as a scholar he had actually offended in that way and now became conscious of it and realized the gravity of his failure. Perhaps in his own search for the cause of his impending fate he had tried in vain to discover some really grave sin, sufficiently serious to account for his violent death. But, on hearing the instance of a purely moral sin of an apparently not so grave a character suggested by his consoler as the possible cause of his terrible death, he only now realized that the standard applied by God to the responsible teachers of Israel was by far a stricter one than that applied in his own judgment to his own sins. Now he could account for God's severe punishment, and was comforted.[1]

In the parallel account in Semaḥ. VIII it is R. Ishmael who wept, and R. Simeon b. Gamaliel comforted him, 'O אברך, by two more steps thou shalt be in the bosom of the righteous men and thou weepest? R. Ishmael said, Do I weep, because we are to be slain? No, but because we are to be slain in the same way as murderers and as the desecrators of the Sabbath were. R. Simeon said to him, Perhaps, while thou wast sitting at thy meal or wast asleep, a woman came to ask a question about her monthly impurity or about her levitically pure food, and the attendant told her that thou wast asleep, whereas the Torah says, "If thou shalt surely delay", and after that it is written, "I shall kill you with the sword".' Closely related to this version of the report is that in 2 ARN, XLI, 57 b, 'When R. Simeon b. Gamaliel wept, R. Ishmael said to him, Why weepest thou? by two steps thou shalt be placed by the side of thy fathers! R. Simeon replied, Thinkest thou that I weep שלא הייתי עוד קטמון שנים? does it not say, Eccl. 5, 11, Sweet is the sleep of a labouring man, whether he eat little or much? But should I not weep seeing that I am led to be put to death as if I were an idolater, or one of those who are guilty of incest, or as murderers and as desecrators of the Sabbath were? R. Ishmael said to him, Should it be so without a reason? Did ever a woman come to thee to ask thee about her monthly impurity, or a man about his vow, while thou wast asleep or at thy meal, or perhaps you had no free time, or perhaps the attendant would not allow him to enter? R. Simeon replied, Whether I was asleep or dining, the attendant had the order not to prevent anybody from entering. When he said to him, It is not without some reason, he answered, When once I was sitting and men were standing in front of me, my heart became proud in me. Then R. Ishmael said, We deserve then to be led out to be put to death'. R. Simeon who in the last two accounts, we do not know on what information, is designated as the son of R. Gamaliel, held that to weep over one's impending death, whether natural or violent, was not justified, as it was immediately followed by man's merited reward in heaven, a place in the bosom of the righteous or by the side of his fathers;[1] so death had not only no terror for him, but also opened up the hope of great bliss.[2] Of the same opinion was R. Ishmael who minded neither the cutting short of his life, nor his death, and no word or thought of complaint or reproach against God and His justice troubled his mind, and he was even reconciled to his violent death, only the mode of his impending execution oppressed his soul. As his reference to the death-penalty in the Jewish law for certain crimes and his companion's quotation of Exod. 22, 23 show, it was the sight of the sword in the hand of the executioner that told him that he was to suffer death by decapitation, and that grieved him.[1] But in the end he himself suggested a reason which is most characteristic: elation and pride at the sight of men standing and listening to him and his teaching. As this point is more definite in the last account, its explanation will follow presently.

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[1] In Yebam. 121 b R. Abba and R. Ḥaninah, in Yer. Shekal. V, 48 d, 38 R. Aḥa and R. Yoseh, say in connexion with the death from thirst of the son of the pit-digger Neḥunyah that God deals with those who are standing near Him, to the degree of a hair's breadth.

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[1] Cf. in Kiddush. 72 b top; Pesikt. rab. 43, 180 b bottom: Abraham's bosom; see J.Q.R. 3, 1891, 25; 7, 1894, 591. 594; Chajes in Rivista Israelitica 4, 137-9; 175-82; Lévi in REJ. 54, 1907, 138, 1; Klausner, ישו הנוצרי, 409, 4.

[2] See Josephus, Wars I, 33, 2, 650.

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[1] According to the Rabbinic definition of the undefined death-penalty in Exod. 21, 12 the murderer was decapitated, Mekhil. Exod. 21, 12, 80 a; Mekhil. R. Simeon Exod. 21, 12, 125; Baraitha Synh. 52 b; Yer. VII, 27 b, 68-72: הקיש שופכי דמים לעגלה ערופה מה עגלה ערופה בהתזת הראש אף כל שופכי דמים בהתזת הראש. But the reference of R. Ishmael to the desecrators of the Sabbath is evidently a mistake, as Num. 15, 35. 36 explicitly prescribes death by stoning. As to the additional mention in the last account of such as are guilty of adultery or incest, we find that death by burning was inflicted upon the man who married a woman and her daughter and upon the two women, Lev. 20, 14, and upon a priest's daughter for immorality, Lev. 21, 9, see MGWJ. 50, 1906, 542 ff., and in Kidd. 80 a stoning for incest between a woman and her son. Again, Deut. 22, 23. 24 prescribes death by stoning for the immorality of the betrothed woman and her paramour, cf. Deut. 22, 20. 21; for the adultery of the married woman and the adulterer Lev. 20, 10 fixes death generally, but in Ezek. 16, 38-40; 23, 45-48 death by stoning; the same in Susanna in one of the Syriac versions, while LXX in v. 62, and one of the Syriac versions gives throwing down into a gorge, which was the later modification of stoning, see N. Brüll in Jahrbücher 3, 1877, 39, 104; MGWJ. 50, 1906, 669. 670, and so very probably also Josephus, Contra Ap. II, 24. 199, and Joh. 8, 3-11. In a Rabbinic account in Gitt. 57 a of a case of immorality in K'far-Sekhanya between a man and his son on the one hand and a betrothed girl on the other the death-penalty by stoning is reported; and in Synh. 7, 4 for most of the cases of incest stoning, and for adultery strangling are the penalties. As to decapitation, it is the penalty for murder in Synh. 7, 3; 9, 1; Baraitha 52 b; Tos. 9, 11: היו מתיזין את ראשו בסייף כדרך שהמלכות עושה, רבי יהודה אומר נוול הוא זה, אלא מניחין את ראשו על הסדן וקוצין בקופיץ, אמרו לו אין מיתה מנוולת מזו, but in no case for immorality or incest, MGWJ. 691 ff. Did then R. Simeon, or the author of the additional reference to incest or adultery, know a law on that point different from the rules and traditions preserved in the Rabbinic literature, or is the addition the mistake of a scribe? As to the decapitation of idolaters, only the inhabitants of the idolatrous city in Deut. 13, 16 were to be killed by the sword, while the penalty of the individual idolater is explicitly stated in Deut. 17, 5 to be stoning. So the instances quoted, apart from the murderer's case, are mistakes, and it would appear that the original account gave no examples, and, as R. Simeon in Mekh., only asked, Why have I to suffer a violent death? Cf.

In the report in ARN, XXXVIII, 57 b, 'R. Simeon b. Gamaliel was wondering in his mind[1] and said, Woe to us that we shall be put to death in the way of desecrators of the Sabbath, worshippers of idols, adulterers (or incestuous persons) and murderers; R. Ishmael b. Elisha' said to him, May I say a word to thee? when he answered, Say, R. Ishmael said, Perhaps while thou wast lying at a meal, poor persons came and stood at thy door, and thou didst not allow them to enter and to eat (with thee)? R. Simeon replied, By God, I did not act thus, but guards were sitting at the door and, when poor persons came, the guards took them in to me, and the poor ate and drank with me and blessed God's Name. Then R. Ishmael continued, Perhaps, when thou wast sitting and expounding on the Temple Mount and all the multitudes of Israel were sitting before thee, thy mind became elated? R. Simeon said to him, My brother Ishmael,

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however Semaḥ. II, 9: הגונב הרי זה שופך דמים ולא כשופך דמים בלבד אלא כעובד עבודה זרה ומגלה עריות ומחלל שבתות, He who steals is shedding blood, and is even like him who worships idols, commits incest and desecrates the Sabbaths. Here in addition to the three cardinal sins the desecration of the Sabbaths is mentioned; and unless the unnamed Tanna meant that the defrauding of the customs will be punished by the Romans by the raiding of the nearest town or village, when Jews will be killed and women violated and the culprit himself and others forced to work on the Sabbaths (ARN, XI, 22 b; 2 ARN, XXI, 22 b bottom), and even be forced to worship idols, the addition as well as the three cardinal sins are very difficult to explain. The same is said of הגונב את המכס and of הגונב את החרם, see Klotz, Ebel rabbathi, 35–6.

[1] In Sifra Lev. 10, 3, 45 a, when Nadab and Abihu were killed by the fire of God, היה אהרן עומד ותוהא אומר אוי לי כך עבירה בידי וביד בני שכך הגיעתני . . כיון ששמע אהרן כך צדק עליו את הדין שתק שנאמר וידם אהרן, Aaron stood wondering and said, Woe to me, for there must be great sins in me and in my sons that such misfortune has befallen me! When Moses had explained to him that his sons were great men, Aaron declared God's judgment on him to be just, and was silent (cf. Baraitha Zebaḥ. 115 b). The unusual calamity suggests to him that it must be due to some grave sins committed by him. See above, p. 168.

man is prepared to accept his fate! . . The executioner cut off their heads with the sword'. For their disgracing death by the sword two possible sins are suggested by R. Ishmael as reasons, first the keeping out of the poor during dinner or resting; and incidentally we learn of guards standing at the door of the, no doubt, wealthy teacher, and of the way in which during meal-time some poor came to the entrance of the house of the well-to-do, how the less kind householder might keep them outside, while the scholar admitted them to his table and dinner, and of their reciting some form of the grace after their meal. As the other possible sin of R. Simeon his elation while expounding to a great number of men is suggested by his companion.[1] The teacher usually was seated, as also יושב ודורש in many references in the Talmud and the Midrash-works testifies, and the audience was either standing, as in the preceding account, or sitting on the ground. But the most striking detail is the place of R. Ishmael's exposition, the Temple Mount; and, if it is authentic, it fixes the date of the incident and of the assembly in question either before the year 70, or during the short period when under the emperor Trajan or Hadrian permission was granted to the Jews in Palestine to rebuild the Temple. The few facts and arguments of any force for fixing the date of the incident with some degree of probability are these. On his death-bed Samuel the small predicted the violent end of Simeon and Ishmael, so that they must have carried on activities of a nature that justified his prediction before his death, evidently against the Romans. When he died, R. Gamaliel the old and R. Eleazar b. 'Azaryah arranged a public lamentation over him. The association of R. Eleazar, the co-president of R. Gamaliel II in the school of Jamnia, with a R. Gamaliel on that occasion makes it certain that R. Gamaliel II of Jamnia, and not R. Gamaliel I of Jerusalem, is meant; and, at the same time, it is evident that Samuel's death occurred only after R. Eleazar b. ʿAzaryah had attained prominence among the scholars, that is, in spite of Halevy's arguments,[1] not in the year 86, but not even before the year 90. For R. Akiba who was suggested with R. Eleazar as the successor of R. Gamaliel II after the latter's deposal,[2] had not attained his great fame yet before that date.[3] On the other hand, it did not happen after the year 120, when R. Gamaliel II was most probably dead;[4] for he died before R. Eliezer[5] who on his death-bed predicted to R. Akiba and his colleagues a violent death,[6] therefore had witnessed their political agitation. As R. Eliezer also lived to see a prohibition of circumcision,[7] it might seem that he was still alive, when Hadrian issued that prohibition,[8] for which there is no other evidence. All this would prove that Samuel who was publicly bewailed by R. Gamaliel II must have died before the bar-Kokhba war, so that his prediction of Simeon's and Ishmael's violent death must have viewed an earlier political agitation. In the Midrash on Canticles, edited by Grünhut,[9] it is reported from an earlier source, 'The (Roman) government sent the executioner after the members of the Synhedrion, and he went to them and found R. Simeon b. Gamaliel, R. Joshua and R. Ishmael sitting in the inner forecourt of the Temple and engaged in a discussion about the rules of the Paschal sacrifice';[10] later on it is added, p. 7 *a*, 'They came upon him (R. Tarfon) in the inner forecourt of the Temple and slew him (in לקח טוב: and they blinded him)'. No parallel is known of these definite statements in the Rabbinic literature, and no earlier work is available from which the compiler of the Midrash on Canticles might have borrowed those remarkable details. But the reference in ARN to R. Simeon's exposition on the Temple Mount confirms the information in the Midrash.[1] As another incident, to be discussed presently, will show, and as Dr. Joel has, in my opinion, conclusively proved,[2] the permission reported in the Rabbinic sources to rebuild the Temple was given to the Palestinian Jews by Trajan in 116/17. To the same movement towards an initial realization of that permission refers the statement,[3] 'When ben-Zoma saw multitudes in Jerusalem, he said, Blessed be He who created these to serve me'; the parallel in the wording of one version of the Baraitha[4] has for 'in Jerusalem' the more definite 'on the Temple Mount', and in that of another 'on the stairs on the

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[1] In Gaster's ספר מעשיות, 51, Exempla of the Rabbis, Hebrew part, 51, this version is included with some important variants, among them the absence of וכמגלי ערוית, and for ודורש בהר הבית it has יושב בדין ודורש, which is a deliberate, but wrong alteration; and for מוכן is put מכאן, no doubt, a mistake due to lack of understanding. But see Schechter's parallel from a manuscript in ARN, XXXVIII, 57 b, note 7.

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[1] דורות הראשונים I, e, 101 a ff.; 169 b.

[2] Yer. Berakh. IV, 7 d, 9; b. 27 b bottom; Halevy, p. 231 a.

[3] Halevy's suggestions, p. 229 b ff. are supported by no evidence.

[4] Halevy, p. 213 b.

[5] Baba meṣ. 59 b; Yer. Berakh. III, 5 d, 66; b. Moëd kat. 27 a.

[6] Baraitha Synh. 68 a; ARN, XXV, 40 b.

[7] Shabb. 19, 1.

[8] Schürer, Geschichte, I, 674-82.

[9] מדרש שיר השירים, Jerusalem, 1897, 3 b.

[10] The passage was known before Grünhut's publication from Tobiyyah b. Eliezer's לקח טוב on Cant. 3, quoted also by Schechter in his edition of Agadath Shir Hashirim, p. 99.

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[1] The composite nature of the accounts in the Midrash is evident on p. 3 b of Grünhut's edition. First we read on p. 3 a the well-known, many times reported demand of the Roman government, addressed to the Synhedrion, to render satisfaction for the mortal crime of Joseph's selling into slavery by his brothers. On hearing this, the members of the Synhedrion fled, and are found by the executioner in the Temple, not all, but only the three teachers mentioned, and R. Simeon b. Gamaliel and R. Ishmael are led out to be executed. The report is not finished, but another statement follows about the schools in Betthar from Yer. Ta'an. IV, 69 a, 13; b. Baba kam. 83 a, then the story of R. Ishmael's visit to heaven to inquire whether it was God's will that all the members of the Synhedrion should die. This is the continuation of the first-named account which the compiler interrupted by the insertion of the report about the scholars found by the executioner in the Temple. The procedure of the compiler shows that he selected materials from various books and pieced them together.

[2] Blicke in die Religionsgeschichte I, 15-25.

[3] Yer. Berakh. IX, 13 c, 12: בן זומא כשהיה רואה אוכלוסין בירושלם אומר ברוך שברא כל אילו לשמשני.

[4] Tos. Berakh. 7, 2: בן זומא ראה אוכלסין בהר הבית אמר ברוך שברא כל אלו לשמשני; Baraitha b. Berakh. 58 a: בן זומא כשראה אוכלוסא (על גב מעלה) בהר הבית אמר ברוך חכם הרזים וברוך שברא כל אלו לשמשני.

Temple Mount'.[1] It is not accidental that here, undoubtedly after the year 70 and several decades later, the multitude is mentioned on the Temple Mount as on the occasion of R. Simeon's discourse.

R. Ishmael who most probably was with him among the scholars present on the Temple Mount might have noticed R. Simeon's momentary pride at the number and the composition of his audience. Was he at that moment conscious of it and, when reminded, did he remember and regret it? In one version[2] of the account he denied his colleague's suggestion, and in the printed text he appears to have taken no notice of it, as he said in reply,[3] 'My brother Ishmael, man is prepared that he should accept his affliction'. The meaning of the words is not quite certain; for it should be noted that he referred to his violent death not as a punishment for a single sin or for several sins, but as פגע, misfortune, affliction not necessarily deserved. The suffix defines the great calamity as meted out to man, no doubt, by God; and it is not clear whether R. Simeon regarded it only from his point of view as פגע, but, at the same time, admitted God's justice in inflicting it upon him for sins committed, or intended to express the thought that God dealt very strictly with him. Also the meaning of the verb שיקבל is not free from ambiguity, as it may denote 'that he should receive (from God) his hard lot', or 'that he should accept (upon him willingly or unwillingly) the hard lot assigned to him (by God)'. And lastly, the signification of מוכן in the context is not without doubt, as it may mean:

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[1] Bacher, Agada der Tannaiten I, 428, 1, first declares the name of the place in the account to be a later addition, and then remarks that, if authentic, the incident itself is to be connected with the prospect of rebuilding the city of Jerusalem and the Temple permitted by the government, when many Jews flocked to the holy city. But finally he declares the place an anachronistic insertion.

[2] In the manuscript quoted by Schechter it reads: לא אלא מכאן לאדם שיקבל את פגעו, so he denied that the suggestion of his vanity was correct.

[3] אמר לו, ישמעאל אחי מוכן אדם שיקבל את פגעו.

'man has been prepared (by God), or destined to accept, or to receive his fate', it is not within his power to escape from it or even to resist it, as it is in the hand of God, or 'man is liable to receive his fate'. It is possible that R. Simeon's answer to R. Ishmael's suggestion as to the former's momentary pride as the cause of his violent death was that, owing to his liability to sin, man is destined to be punished severely, and even if he had actually evinced vanity on that momentous occasion on the Temple Mount, it merely set the seal on his previous sins and determined the severity of God's judgment. R. Ishmael regarded the teacher's vain pride as a grave sin, sufficient to account for R. Simeon's violent death, and the latter agreed with him on the principle; and, as he did not contradict this second suggestion, not only not in the same decided and solemn manner as he had denied the first, but not at all, he may have even admitted the charge and resigned himself to the inscrutable will of God and His extremely severe punishment. He asked no further questions, and, at peace with his God, and with his heart's doubt solved, received the blow of the executioner.

9. In connexion with the political and religious movement of the year 116/117 two political leaders are mentioned as active participators and as victims, and their attitude to their violent death ranges itself by the side of that of the two teachers just discussed. The Baraitha reports,[1] 'When Trajan had seized Pappos and his brother Lollianos in לדקיא, he said to them, Are ye not of the people of Ḥananyah, Mishael and 'Azaryah? let your God come and rescue you out of my hand! They answered him, Ḥananyah, Mishael and 'Azaryah were righteous men, כשרים, and Nebuchadnezzar was worthy that a miracle should happen on his account: but thou art a sinful king and not worthy that a miracle should happen on thy account;[2] and we are guilty of death

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[1] Sifra Lev. 22, 32, 99 d, § 5.

[2] Incidentally we learn that miracles are vouchsafed only to worthy men, and also the person from whose power the miracle is to rescue the worthy man must have merits.

before God, and if *thou* wilt not slay us, God has many agents that cause harm, many bears, many lions, many panthers, many poisonous snakes, many scorpions, that will fall upon us; but ultimately God will demand our blood from thy hand'.[1] It is their religious conviction that their death has been decreed by God, because they had committed grave sins punishable by death and destruction. Though they did not attempt to specify any of their sins, nor suggest even in a general way in which direction they lay, by such consciousness of their sinfulness they expressed their recognition of God's justice in His fatal judgment in their case; and it not only reconciled them to their impending violent death, but also precluded any word or thought of criticism of God's decree to which, moreover, they unconditionally surrendered. As their death has been decreed by God and is thus inevitable, He may employ as His instruments to bring it about either the Romans or wild beasts of any kind.[2]

When R. Ḥaninah b. Theradyon was sentenced by the Roman governor to death by fire for having been apprehended in studying the Torah against the Hadrianic decrees issued after the bar-Kokhba war, and his wife was condemned to death by the sword and their daughter to sit in a brothel, the three recognized and declared God's judgment to be just by reciting Deut. 32, 4 and Jer. 32, 19.[3] When R. Ḥaninah was wrapped in his scroll of the Torah and this was set on fire to burn him alive, he bore it all;

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[1] The parallel Baraitha in Ta'an. 18 b has a number of variants: אמרו כשבקש טוריינוס להרוג את לולינוס ופפוס אחיו בלודקיא . . צדיקים גמורים . . ואנו נתחייבנו כליה למקום . . הרבה הורגים יש לו למקום . ., in Semaḥ. VIII: וכשהרג טרגיאנוס . . כשרים . . הרבה הורגים, in Mekhil. R. Simeon Exod. 21, 13, 125 *the beginning is slightly different*: זו היא ששאל טרוגינוס את אלינוס ואת פפוס אחיו כשגזר עליהם מיתה. About the historical part see Rosenthal in MGWJ. 29, 1880, 280; Joel, Blicke, 16 ff.; Bacher, Paläst. Amoräer I, 196, 4. Cf. 2 Macc. 7, 18.

[2] See Sirach 39, 29. 30.

[3] Baraitha 'Abod. zar. 17 b, 18 a; Sifré Deut. 32, 4, 307, 133 a; Semaḥ. VIII.

and when his daughter cried, wept and threw herself at his feet, he said to her, My daughter, if thou weepest for me and throwest thyself down on account of me, (consider) that it is better that a fire blown by man consumes me, than that the fire that is not blown by man should do so, as it says, Job 20, 26, 'A fire not blown by man shall consume him'. In the Baraitha in the Talmud he said to his daughter, 'Were I alone burnt, it would be hard for me; but now that I am being burnt and the Torah with me, He who will require the offence against the Torah will require the offence against me'. The scholar recognized that his violent death and the horrible sufferings were brought upon him by God, the Judge of man. As He is just in His judgments, even when they are most severe, they are due to man's sins; and though the teacher may at the moment of the sudden descent of the visitation upon him not be conscious of his transgressions, he does not hesitate to declare God's punishing justice to be fully deserved. This follows from his unconditional surrender to God as the Master of his existence, but only as far as his submission to his chastisements without a word of criticism of God's justice is concerned. His silent acceptance of the sufferings and the explicit recognition of His judgment emanated from the scholar's love of God. His thoughts and words are first engrossed by the disgrace done to the scroll of God's Torah, for which God will undoubtedly exact satisfaction, and only after that by the injustice done by the Romans to him; but just as he did not criticize God's providence, so he had no curses for his tormentors, as they were merely the instruments of His judgment passed on him. His anxiety was not about his life on earth, and he was indifferent to the fire consuming his body; the knowledge that his violent death will atone for all his sins and secure his soul from being sent to Hell confirmed him in his calm endurance of the agonies of his protracted and slow death. His horrible sufferings which he accepted upon him in submission as the judgment of God, he interpreted as atoning for the gravest sins which he might have committed knowingly or in error and he recognized them in his love of God as the deserved punishment by 'the Rock, His work is perfect; for all His ways are justice; a God of faithfulness and without iniquity, just and right is He'.

Actuated by their firm and enduring love of God, as stated by R. Akiba[1] and R. Nathan,[2] many Jews observed the laws of the Torah during the Hadrianic religious persecutions, though they well knew that cruel death would overtake them. When their sentence had been pronounced, not only the scholar whom the study of the Torah had confirmed in his knowledge of God and of His providence saw in his violent death the judgment of God and acknowledged it as just, but also his wife and his daughter who, as far as the report shows, had not invited the Roman punishment, sought and found appropriate verses to express their recognition of God's perfect justice. That declaration, based on Job 2, 10 and interpreted by R. Akiba[3] as the peculiar duty of the Jew to give recognition to God for prosperity and chastisement alike, was a manifestation of his accepting upon himself God's Kingship and yoke, as R. Akiba did by reciting Deut. 6, 4 while suffering terrible tortures at the hand of the Roman executioner.[4] And while suffering unspeakable agonies increased by Roman inventive cruelty, the pious martyrs, unlike Job, not only bore their pains and their slow death, deliberately protracted by the judge's political justice, but, in concentrating their last thoughts upon God, also suffered, unlike Job, without a murmur against Him and His inscrutable providence. They tested themselves, the one whether he could love God even while He was demanding and taking his life, the other whether he would stand the full measure of God's judgment and not curtail his agonies and hasten his death by opening his mouth and allowing the flames to enter his mouth, as that would be suicide. As he regarded the tortures inflicted on him as God's method of purging away his sins, he even loved his sufferings as reconciling him to God and as securing him against the fire of Hell. Only their love of God enabled the teachers to face, and to suppress, the possible interpretations of their torments calmly, and to view them even as a manifestation of God's love.

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[1] Mekhil. Exod. 15, 2, 37 a, above, p. 150 ff.

[2] ibid. 20, 6, 68 b, above, p. 152.

[3] ibid. 20, 23, 72 b.

[4] Baraitha Berakh. 61 b; Yer. IX, 14 b, 60, above, pp. 151 ff.

When the question about Job's religious motive for his attitude to God and for his conduct in life was discussed by teachers in Jerusalem, another fundamental religious-philosophical problem engaged the attention apparently of the same school. The Baraitha[1] reports, 'The Shammaiites and the Hillelites disputed together for two years and a half, the former said that it would have been better for man if he had not been created; the latter held that it is better for man that he has been created than if he had not been created. The two schools divided on the question and decided that it would have been better, if man had not been created than that he has been created; now that he has been created, let him search his actions, or, according to another reading, let him weigh before the action its consequences carefully.'[2] It was suggested[3] that the whole problem was possibly brought by Alexandrian Jews, especially pilgrims, from Greek philosophy to the knowledge of the Palestinian thinkers. But it seems more probable that the idea arose from the reading and the interpretation of the books of Job and Ecclesiastes, and perhaps also of

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[1] 'Erub. 13 b bottom: תנו רבנן שתי שנים ומחצה נחלקו בית שמאי ובית הלל, הללו אומרים נוח לו לאדם שלא נברא יותר משנברא והללו אומרים נוח לו לאדם שנברא יותר משלא נברא, נמנו וגמרו נוח לו לאדם שלא נברא יותר משנברא, עכשיו שנברא יפשפש במעשיו ואמרי לה ימשמש במעשיו.

[2] 'Arukh VI, 458 b: פירוש ימשמש מעיקרא שיהא זהיר מהחטא או אם חטא יפשפש מעשיו ויחזור בתשובה לפני בוראו שיזכה לחיי עד, 'Let him be careful from the outset, he should guard against sin, or if he hath sinned, let him search his actions and let him return in repentance to his Creator and merit eternal life'.

[3] Dukes in Ben Chananja 4, 1861, 406.

Jeremiah. For the first two books expressed the pessimistic view that the still-born child was happy, as it was spared the misfortunes of life, its miseries and its disappointments.[1] But while those books considered mainly the physical sufferings of man and his material disappointments that spoil his existence on earth, the decision reached by the two schools indicates that their discussion was concerned with the moral and religious difficulties and disappointments of man, especially of the good man who deplores his lapses that are the direct outcome of man's constitutional, inherent moral weakness. The plane of the arguments of the two schools and their direction were, then, much higher than those of Job and Ecclesiastes, and the two schools seem to have dealt with the ultimately agreed premise that man was constitutionally liable to sin. Before proceeding with an analysis of the dispute, it is essential for its bearing to establish the probable date of the controversy. As the two schools first existed in Jerusalem side by side, and their disputes continued nearly throughout the first century in Jerusalem and in Jamnia, it is difficult to fix the date of the controversy in question even approximately, and even less so more closely. On the other hand, the fact that the Shammaiites' view prevailed in the division suggests a time when they predominated in the council who decided such questions. As far as our information enables us to see, that was the case in the assembly which passed the Eighteen restrictions about foods and drinks bought from the Gentiles.[2] Grätz accounted for this majority by the revolutionary movement against the Romans in the year 66; but apart from the uncertainty of the assumed connexion, other instances prove the prevailing influence of the Shammaiites on the council before whom questions on the sacrifices, the priesthood, the levitical purity and the admission of proselytes were brought for decision. As to the dates, even Grätz refers the discussion between the two schools and their decision about the inclusion of the book of Ecclesiastes in the Canon in accordance with the view of the Hillelites[1] to the years immediately after Herod's death; but, of course, the difficulties arising from the book may have continued to agitate and exercise the minds of scholars for some time after that decision.

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[1] Job 3, 16; 10, 18. 19; Eccl. 6, 3-6; cf. Jer. 20, 14–18, especially v. 18; 15, 10.

[2] Yer. Shabb. I, 3 c, 51 ff.; b. 17 b; Grätz, Geschichte III, 2, note 1; Lerner in Magazin für W.J. 9, 1882, 113 ff.; 10, 1883, 121 ff.; Halevy, דורות הראשונים I, c, 290 b ff.; Büchler in J.Q.R. 17, 1926, 39 ff.

As to Job's religious motive in serving God, the reference to the Targum of the book of Job under R. Gamaliel I and the discussion of the problem whether Job served God for the fear or the love of Him by R. Yoḥanan b. Zakkai and his contemporaries point to the period extending from the year 30 to 68; and if that was the time when the two schools discussed the pessimistic view about man's creation, the Aramaic translation of Job and the analysis of one or two striking statements in that book probably were closely connected. And it is very instructive to note that, though the pessimistic opinion was passed by the majority, the scholars forming it did not despair of man's capacity to purge himself from his sins in spite of his weakness, and all his actions were still regarded as products of his own responsibility and not of his evil inclination, and on account of that the teachers advised man to examine his deeds, as that would bring him back into the right path. What is not indicated in the discussion is whether the sufferings of man, as those of Job, were the starting point of the controversy, then followed as the natural sequel the second, the connexion between his sufferings and his sins, as suggested in the arguments of Job's friends, and as the third the source and origin of man's sins, the evil inclination, on which the book of Job did not touch, and as the last the responsibility of God in the sins of man by His implanting the evil tempter, as referred to in Sirach 15, 11.[2] The pessimistic view seems to have proceeded from the recognition that, as experience taught, in his struggle against temptation even the most righteous man could not escape sin and the consequential punishment which was strict, and as it continued beyond the grave and might even be eternal, it would have been better if God had not created man. As God in His wisdom decided to create him and exposed him to the dangers of lurking sin, He provided for him a remedy in repentance and in the warning to refrain from sinning. It would appear from the plural in 'his deeds' that the examination of his actions recommended to man by the two schools is not meant to be undertaken when he becomes conscious of having transgressed, but when he is visited with afflictions,[1] when he would be inclined to reproach God for chastising him without cause, as he is not conscious of having deserved it by any sin. This was the attitude of Job who, indeed, had lived according to the will of God and could detect no sin in his heart; but he, too, should have considered that even the righteous and perfect man could not escape all sin, and even he might have fallen unawares into error. Instead of continuing his search of his deeds, he burst out in reproaches against God and questioned His justice. Even though he had previously served God according to R. Joshua b. Hyrkanos for his love of Him, it did not, in the plain meaning of his speeches, stand the test of the grievous visitation by leprosy; only once did his old love of God overcome his bitter complaints, when he declared, 13, 15, 'Though He

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[1] Yadayim 3, 5; Grätz, Koheleth, 162 ff.; Weiss, Geschichte I, 212; Schwarz, Controversen, 90.

[2] See J.Q.R. 13, 1923, 320 ff. It is not necessary to assume here with

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Grätz the influence of Greek philosophy; the philosophically minded Palestinian Jew may have raised the question whence the evil inclination came, on Gen. 6, 5. Cf. Porter, The Yeçer Hara, 136–46.

[1] Cf. Tos. Nega'im 6, 7; Sifra Lev. 14, 35, 73 a; Tanḥ. מצורע 4; B. 12; this is an anonymous Baraitha of a date not later than the year 200, but not earlier than R. Meir whose view that the evil tongue and haughtiness are among the causes of leprosy is embodied here, 'When the man whose house is affected by leprosy comes to the priest about the examination of his house, the priest says to him, צא ופשפש בעצמך וחזור בך, Go and search thyself and repent, for plagues only come for the evil tongue, and leprosy only comes upon the haughty, and God judges man with clemency'.

slay me, yet will I trust in Him'. To submit to the dispensation of the Master of the Universe, to accept His yoke upon him and to bear the gravest afflictions sent by God without a murmur and without questioning His justice is evidence of man's love of God. He who serves God only for the fear of Him refrains from transgressing a prohibition in the Torah, because he is afraid of punishment, and fulfils a positive commandment only because he expects to be rewarded for it; that is why he kicks against chastisements in his opinion undeserved, and questions the justice of God and His providence.

III

THE DEFILING FORCE OF SIN IN THE BIBLE

1. If neither the fear of God nor even the love of Him prevents the Jew from acting against the will of God expressed in the prohibitions and commandments of the Torah, he commits a sin, breaks the covenant imposed by Him on every Israelite and accepted by him at Sinai, and in the case of the transgression of certain grave injunctions breaks from off him the yoke of God. It would appear that, though the heart of the sinner and his conscience are not touched immediately after the deed or the omission by a consciousness of the wrong, or he is not roused later by repentance, no trace of the sin is left on the body of the sinner or on his soul. In fact, however, there is discernible in almost all parts of the Bible, in the Pentateuch, the Prophets, and the Psalms, the idea of some kind of defilement caused by sin, and it has, naturally, been noticed by the commentators in passing, and more fully by Smend[1] and Köberle[2] in their special analysis of the biblical and post-biblical conceptions of sin. But as even those scholars have not followed up the true meaning of the idea and have not realized especially its religious aspect, an examination of the individual biblical passages is in this inquiry necessary, mainly in preparation for the analysis of the Rabbinic materials in the next chapter. In Jer. 2, 4–28, in a most vigorous and trenchant speech the prophet reproached the inhabitants of Jerusalem and Judah for their forsaking God and worshipping idols. In his description of Israel's ingratitude he, in the name of God, points to the fact, v. 7, that He brought them through the wilderness into the fruitful land that they might eat its produce and its good;

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[1] Lehrbuch der alttestam. Religionsgeschichte, 2nd edition, 1899.

[2] Justus Köberle, Sünde und Gnade, 1905.

and how are they requiting Him for His kindness? 'But when ye entered, ye defiled My land, and made My heritage an abomination'.[1] In forgetting that the land was not theirs, but God's own, and His and not their property which, already on account of its owner, though not stated explicitly, was holy and demanded special attention and care, they have defiled it and have made it an abomination. As the context unmistakably shows, the prophet referred to the setting up of idols all over the country, as he declared in v. 28, 'But where are thy gods that thou hast made thee? let them arise, if they can save thee in the time of thy trouble; for according to the number of thy cities are thy gods, O Judah'. Consequently, idols defile the land of God and make His inheritance an abomination. The nature of such defilement is not explained, but, in spite of the technical terms טמא and תועבה, as the defiled thing is the land of Judah, it would hardly be correct to suggest levitical contamination. More definite is the parallel in 16, 18, where the prophet censures the people for the prevailing worship of Ba'al, 'Because they have profaned My land; they have filled Mine inheritance with the carcasses of their detestable things and their abominations'. Here again God's land and inheritance have been treated unworthily, as they have been filled with things described by two technical terms as שקוציהם ותועבותיהם and by the further addition of נבלת, a contemptuous designation of the lifeless, dead figures of the gods, as in Lev. 26, 30, 'And I will cast your carcasses upon the carcasses of your idols', as something unclean. The verb used by the prophet is not טַמֵּא, defile, but חלל, profane,[2] and shows that, though the defiling thing is represented figuratively as a carcass which otherwise defiles levitically, the land of God is presupposed to be holy, and its defilement by idols is not levitical, but spiritual, religious.

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[1] ותבאו ותטמאו את ארצי ונחלתי שמתם לתועבה.

[2] The interchange of the two verbs can best be illustrated by Ezek. 43, 7, 'And the house of Israel shall no more defile, יטמאו, My holy name, neither they, nor their kings, by their harlotry, and by the carcasses of their kings in their high places'. The defiling agents are the dead bodies of the kings and harlotry which, as will be seen presently, mean idols and idolatry. But the object of 'defile' is the holy Name of God, to which defilement is never applied, but frequently חִלֵּל, profane. Similarly in 43, 8, 'And they have defiled, וטמאו, My holy name by their abominations which they have committed', i.e. by idols and idolatry,

In Lev. 18, 1–23 the enormities of the Canaanites, as the sacrificing of children to Molech, sodomy and bestiality, are described, and v. 25 adds, 'And the land was defiled, therefore I did visit the iniquity thereof upon it, and the land vomited out her inhabitants. (27) For all these abominations have the men of the land done, that were before you, and the land is defiled; (28) that the land vomit not you out also, when ye defile it, as it vomited out the nation that was before you'. The emphatic warning is here several times repeated that those enormities defiled, טמא, the land, when committed by the Canaanites, and would defile it in the same way and to the same degree, if the Israelites practised them. In Ezek. 36, 17 God says, 'Son of man, when the house of Israel dwelt in their own land, they defiled it by their way and by their doings; their way before Me was as the uncleanness of a woman in her impurity. (18) Wherefore I poured out My fury upon them for the blood which they had shed upon the land, and because they had defiled it with their idols'. Idols, idolatry and bloodshed are explicitly named by the prophet as the sinful acts by which the Israelites had defiled their land, and the general terms 'their way and their doings' refer to the same sins, but both, and especially the repeated דרכם, extend the defiling effect to other grave transgressions not specified. The character of the defiling force might be defined as being levitical on the prophet's comparison of the impurity with the levitical state of the menstruous woman. But in the Bible it is nowhere indicated that the latter in spite of the high degree of her defiling force affects with

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as in Jer. 16, 18, just quoted, they profaned the land and defiled God's holy Name. Cf. Is. 47, 6 'I was wroth with My people, I profaned Mine inheritance', He turned His own land which was sanctified by His presence into a country peopled with Gentiles.

her impurity the *land*;[1] and as the prophet's illustration does not refer to her power of contaminating the land, but describes how the way of the Israelites was regarded by God, as in His sight, according to the prophet's human view, its impurity was of a very high degree,[2] bloodshed and idols did not defile the land levitically. On Lev. 18 and Ezek. 36 is based Ezra 9, 11, 'Thou hast commanded by Thy servants the prophets, saying, The land, unto which ye go to possess it, is an unclean land through the uncleanness of the peoples of the lands, through their abominations, wherewith they have filled it from one end to another in their filthiness'. The land was filled with two kinds of impurities, one termed 'abominations' and emanating from the defilement of the heathen inhabitants, and the other ארץ נדה היא בנדת עמי הארצות; the latter strong term was, no doubt, chosen to describe the highest degree of impurity, but does not denote the menstruous woman. As in 2 Chron. 29, 5 king Ḥezekiah ordered the Levites to sanctify the Temple, 'and carry forth the filthiness, הַנִּדָּה, out of the holy place', and the execution of the order is reported in v. 16 thus, 'And they brought out all the uncleanness, הַטֻּמְאָה, that they found in the Temple of the Lord', and נדה denotes the idols set up by king Aḥaz, so Canaan is described as a land of idolatry highly contaminated by the unclean worship of its inhabitants and by the enormities which they practised throughout the country in their immoral aberrations. And again in Is. 30, 22, 'And ye shall defile thy graven images overlaid with silver, and thy molten images covered with gold; thou shalt put them far away as one unclean; thou shalt say unto it, Get thee hence', the verb טִמֵּא is used in parallelism with דוה which word designates the menstruous woman[3] and, as the context shows, was intended to express the highest degree of impurity found in the household. But as one did not cast away or scatter the menstruous woman, and on account of that she could not be fittingly and correctly used as an illustration, it perhaps meant, as in Is. 64, 5, the cloth used by her; consistently, the verb in the first part of the verse does not designate actual levitical defilement, as in 2 Reg. 23, 8 ff., but 'treat as things unclean', as idols and figures should be treated. A further consideration disproves the levitical character of the state of the land defiled by idols and proves its grave *moral* uncleanness: the fact that none of the ways and methods of purification known from the Pentateuch was applied in the removal of the impurity, but instead the complete vomiting out of the Canaanites, and later on of the Israelites themselves. And it is instructive to find that the abominations committed by the inhabitants are in Lev. 18, 25 assigned to the soil of the land and that God punishes the land severely by the removal of its population. For utter desolation is regarded as a terrible punishment inflicted upon the land, as it is foretold for idolatry in Deut. 29, 21–27, while the cleansing of Israel's sins by God and His forgiveness are manifested by Palestine's beautiful restoration, Ezek. 36, 33–35.

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[1] The rule in the mediaeval Tos. Niddah, edited by H. M. Horowitz, תוספתא עתיקתא V, 13 top, that the soil where the menstruous woman treads is levitically defiled, see Schorr in החלוץ VIII, 1869, 53 ff, is also found with the Samaritans and Syrian heathens, see Wreschner, Samarit. Traditionen, 38.

[2] Cf. Is. 64, 5, see further.

[3] Lev. 15, 33: והדוה בנדתה; 12, 2: נדת דותה: 20, 18: אשה דוה

As to the defilement of the land or of the soil of Palestine by idolatry or immorality, as far as our information goes, no levitical impurity applied in the biblical law or in biblical times to either, and Lev. 14, 34–53, which deals with the levitical impurity of the house infected by a kind of leprosy in the walls knows nothing of an extension of the disease to the ground. Only Amos 7, 17, 'And thou thyself shalt die in an unclean land',[1] could be adduced as evidence for the uncleanness of the soil of Assyria. But in spite of the interpretation of Smend[2] and of the commentators, the impurity is not levitical, but its nature is the same as in David's description of the non-Israelitish countries, 1 Sam. 26, 19,

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[1] Cf. Jer. 20, 6.

[2] Lehrbuch der alttest. Religionsgeschichte, 149.

'But if it be the children of men, cursed be they before the Lord; for they have driven me out this day that I should not cleave unto the inheritance of the Lord, saying, Go, serve other gods'. The contrast between נחלת ה׳, God's inheritance, as in Jer. 2, 7; 16, 18, the land owned by Him, therefore pure and holy, and implying and demanding His worship and excluding idolatry, and other countries which serve idols and are, on account of that, impure, because they are owned and ruled by idolaters, makes the meaning of the impurity quite clear. The same is evident from Josh. 22, 19, 'Howbeit, if the land of your possession be unclean, then pass ye over unto the land of the possession of the Lord, wherein the Lord's Tabernacle dwelleth, and take possession among us'. Again the land possessed by God is contrasted with that defiled by the worship of other gods, though—and that is most characteristic,—inhabited by Israelitish tribes. The other tribes in Canaan had so far believed the Transjordanic district to be pure, but suddenly they were disillusioned and had to declare, 'if the land of your possession be unclean'; what change made them doubtful? So long as they thought their brethren true to the God of Israel, their country was pure; but now that by the erection of the altar they seem to have established a service and a god of their own, their land appears to permit, and to invite, the worship of other gods, and has thereby revealed its impurity. Idolatry defiles the land, yet not levitically, but, as the whole argument shows, religiously and morally, as no suggestion is made that the two tribes and a half have been affected by the defilement of the soil. Only in the middle of the second century B.C.E. did Yosé b. Yo'ezer of Ṣeredah and Yosé b. Yoḥanan of Jerusalem, two scholars who stood at the head of the highest religious body in Jerusalem, create the idea of the levitical impurity of the soil of all countries outside Judaea,[1] and decreed levitical defilement concerning the land of the peoples; they knew nothing of an earlier identical impurity in the Bible.

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[1] Yer. Shabb. I, 3 d, 43; Baraitha Shabb. 14 b: יוסף בן יועזר איש צרידה ויוסי בן יוחנן איש ירושלם גזרו טומאה על ארץ העמים ועל כלי זכוכית; see Weiss, Geschichte I, 105.

2. Of exactly the same character as the contamination by idolatry and the Canaanite immoralities is the infection of the land of Palestine with sin and impurity by the taking back in marriage of the divorced wife after the dissolution of her second marriage by divorce or by the death of her second husband in Deut. 24, 4, 'For that is abomination before the Lord; and thou shalt not cause the land to sin, which the Lord thy God giveth thee for an inheritance'. Like the immoralities in Lev. 18, that act is termed an abomination before God;[1] it affects with sin the land which is His property and which He gave Israel as an inheritance. Instead of 'thou shalt not defile', as in Lev. 18, 28 and in the warning, otherwise identical in words and in meaning, in Deut. 21, 23,[2] 'that thou defile not thy land which the Lord thy God giveth thee for an inheritance', most characteristically ולא תחטיא is used. It shows that טמא in connexion with the transgression of laws not referring to the known rules of defilement and concerning the soil as its object does not signify levitical impurity, but moral or religious sin that is laid upon the earth, as in Lev. 18, 25, 'And the land was defiled, therefore I did visit the iniquity thereof upon it', and it should be translated, 'and thou shalt not affect the land with sin'. Instead of either term used with reference to the land, Jer. 3, 1 has regarding the taking back of the twice divorced wife: הלא חנוף תחנף הארץ ההיא, 'will not that land be greatly polluted'?[3] which certainly does not denote levitical defilement, though synonymous with טמא.[4]

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[1] לפני ה׳: in His sight and judgment.

[2] ולא תטמא את אדמתך אשר ה׳ אלהיך נותן לך נחלה.

[3] In 3, 9 of idolatry represented as whoredom: והיה מקול זנותה ותחנף את הארץ, 3, 2: ותחניפי ארץ בזנותיך וברעתך

[4] In Is. 24, 5: והארץ חנפה תחת יושביה כי עברו תורות חלפו חק הפרו ברית עולם, 'The earth also is defiled under the inhabitants thereof, because they have transgressed the laws, violated the statute, broken the

It is similarly applied in the case of bloodshed, and here the underlying conception of sin, its formulation and the terms applied to it offer a most striking parallel to the idea of the moral defilement of God's land. Num. 35, 33 reads, 'So ye shall not pollute the land wherein ye are; for blood, it polluteth the land; and no expiation can be made for the land for the blood that is shed therein, but by the blood of him that shed it. (34) And thou shalt not defile the land which ye inhabit, in the midst of which I dwell; for I the Lord dwell in the midst of the children of Israel.' The country inhabited by Israel enjoys the great privilege and distinction that God Himself dwells therein in the midst of the children of Israel, it is hallowed by His presence; on that account it must not be defiled, and bloodshed defiles it. In v. 33 יחניף is the term which, as mentioned before, is not found in connexion with any levitical defilement; and, as human blood is its subject, which is nowhere mentioned as a matter defiling, not even in connexion with the defiling human corpse or bone in Num. 19, 16,[1] the verb can only denote a non-levitical contamination. As no levitical purification from the defilement of the land by the blood shed is prescribed, but only expiation by the blood of the murderer, the impurity is not levitical. Also here the land is affected by the blood shed, and, as though it had itself committed the crime, requires atonement, expiation; the

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everlasting covenant'. As in Lev. 18 and Jer. 3, the inhabitants of the land have committed the gravest sins against God, which are summed up as the breaking of the everlasting covenant and the transgression of the laws, cf. Jer. 2, 20. The grave sins defiled the soil on which the inhabitants were walking; therefore חחח so expressively and vividly transfers the sins of the inhabitants to the land, Lev. 18, 25. The commentators point out that the prophet applied the terms which usually described the wrong deeds of the land of Israel to the earth as a whole, and probably meant the sin of bloodshed which, in the prophet's estimate of the crime, defiled the whole earth.

[1] In Psalm 106, 38, 'And shed innocent blood, even the blood of their sons and of their daughters, whom they sacrificed unto the idols of Canaan; ותחנף, and the land was polluted with blood', the same root is used of the sacrifice of children, but their blood is nowhere stated to defile either the land or the altar levitically. Smend's statement, p. 316, does not prove the levitical character of the defilement.

term belongs not to the vocabulary of levitical cleansing, but to that of sin.

Against that interpretation might be adduced the fact that the way in which the levitical impurities in Num. 5, 3 and Deut. 23, 15 defile the camp of Israel, because God dwells therein, is exactly the same, therefore also in the case of blood shed levitical defilement is meant. But even a moment's consideration of the two passages will reveal the marked difference in the underlying principles. Whereas before the Rabbinic extension of the law of Num. 19, 16 levitical impurity is nowhere ascribed to blood, not even in connexion with the repeated prohibitions to eat blood, especially in Lev. 7, 26. 27, the man who had an issue of semen at night is explicitly termed not clean, Deut. 23, 11, and even ordered to leave the camp and not to re-enter it until he had his purifying bath, (12) 'But it shall be, when evening cometh on, he shall bathe himself in water; and when the sun is down, he may come within the camp'. No crime of any kind, no sin of immorality or of a forbidden marriage was committed, the soil is not declared to be defiled, and no punishment to expiate the deed or the condition of the land is imposed upon the man concerned. Not a sinful act, but the presence of the levitically unclean person in the camp is here offensive to the God of Israel who is present among His people. That that law viewed only the physical state of the body and demanded physical cleanness of every person in the camp is borne out by the continuation in Deut. 23, 13. 14 about the soldier's duty to keep the camp free from excrements and to cover such even outside the camp. Here even levitical considerations are ignored, no purification of any sort is required, only the keeping away of physical uncleanness is commanded, and the rule is followed by the statement, (15) 'For the Lord thy God walketh in the midst of thy camp, to deliver thee, and to give up thine enemies before thee; therefore shall thy camp be holy, קדוש'. Neither this nor any synonymous term is used about the land of Israel, though after its defilement by the blood shed upon it or the immorality committed upon it it has to be cleansed from the crime or the offence. And the same is the principle in Num. 5, 1-4, where it is commanded (2) 'that they put out of the camp every leper, and every one that hath an issue, and whosoever is unclean by the dead; . . . (3) that they defile not their camp, in the midst whereof I dwell'. Again no crime was committed, no immorality, incest or any of the Canaanite enormities had proceeded from the man, but the offence to the presence of God is the levitical state of his body for which he could not be called to account, as it had not been brought about by any wilful and forbidden act. The levitical impurity, though it is of the highest degree, does not affect the land or its soil, nor does it demand the intervention of the judicial or other authorities to stop the offence or to obtain redress for the expiation of the deed. The defiling nature of blood is, consequently, essentially different from any levitical contamination so far considered.

But it is not only the land of Israel that is defiled by the abominations of the Canaanites; for Lev. 18, 24 introduces the general statement about those enormities thus, 'Defile not ye yourselves in any of these things; for in all these the nations are defiled, which I cast out from before you. (25) And the land was defiled, therefore I did visit the iniquity thereof upon it, and the land vomited out her inhabitants'. And the concluding verse (30) warns thus, 'Therefore shall ye keep My charge, that ye do not any of these abominable customs, which were done before you, and that ye defile not yourselves therein: I am the Lord your God'. Every individual act of that character first defiles the person who commits it, be he a Canaanite or an Israelite, and the persons in their turn defile the land. And in Lev. 19, 31, in a context which contains no reference to any form of levitical impurity, it states, 'Turn ye not unto the ghosts, nor unto familiar spirits; seek them not out, to be defiled by them: I am the Lord your God'. Though not included in the list of Canaanite abominations in Lev. 18, it is mentioned in Lev. 20, 27 as the last of the prohibitions in the corresponding list of the strict punishments to be inflicted for the practice of those abominations; and though there it follows after the commandment to distinguish between clean and unclean animals, it has nothing in common with levitical impurity. In the speech in which Jeremiah severely castigated the people of Judah and Jerusalem for defiling the land of God and His inheritance by the worship of Ba'al, 2, 7, and in which he fully described the folly and the political consequences of such idolatry, he says (2, 23), 'How canst thou say, "I am not defiled, I have not gone after the Ba'alim?" See thy way in the Valley, know what thou hast done'. The parallelism as well as the whole context shows that the defilement is not levitical, but a part of the imagery which represents Israel as the wife of God and its worship of other gods as adultery. It was first employed consistently by Hos. 5, 3, 'For now, O Ephraim, thou hast committed harlotry, Israel is defiled; (6, 10) There harlotry is found in Ephraim, Israel is defiled'.[1] Here, too, the parallelism with 'harlotry' shows that 'defiled' is not levitical, but an effect of the adultery. So in Ezek. 23, 17, 'And the Babylonians came to her into the bed of love, and they defiled her with their lust; and she was polluted with them, and her soul was alienated from them', the adulterer defiles the adulteress, and she becomes defiled as a result of her immoral relations. As the clear signification of the verb טמא in the Pi'el and the Niph'al in this special use has often been misunderstood, a few more instances will have to be discussed. In Num. 5, in the law about the married woman suspected by her husband of adultery, actual adultery in her case is described by the word נטמאה, 'she has been defiled', 5, 13. 14. 20. 27. 28. 29, or v. 19, 'gone aside to uncleanness, שטית טֻמאה', or (20) 'But if thou hast gone aside, being under thy husband, and if thou be defiled, and some man have lain with thee besides thy husband'. Ezekiel several times uses of the adulterer the expression, 'he hath defiled his neighbour's wife', 18, 6. 11. 15; in 22, 11, 'And each hath committed abomination with his neighbour's wife; and each hath lewdly defiled his daughter-in-law'; (33, 26) 'Ye work abomination, and ye defile every one his neighbour's wife; and shall ye possess the land?' It is also applied in the case of rape in Gen. 34, 5. 13. 27, 'Shechem had defiled Dinah his daughter', and it need hardly be mentioned that here no more than in the instances quoted could levitical defilement be intended. And also in the very difficult passage, Deut. 24, 4, about the divorced woman who married again and lost her second husband either by death or by being divorced, 'her former husband, who sent her away, may not take her again to be his wife, אחרי אשר הֻטַּמָּאה כי תועבה הוא לפני ה׳, after that she is defiled; for that is abomination before the Lord', the Hothpa'el as a derivative of the Pi'el has the meaning established before. Considering that טִמֵּא is used only of illicit sexual intercourse, in the first instance with a married, and therefore prohibited, woman, a reference of the verb to her conduct during her first marriage could only mean adultery, as in Num. 5; it would limit ערות דבר in v. 1 to adultery as the only occasion for divorce, and the law would decree that, as she had been divorced the first time on account of her adultery, she could not again become the wife of her first husband. The Hithpa'el of the verb then means: she defiled herself by committing adultery of her own free will, and the Hothpa'el: she allowed herself to be defiled by adultery. But that interpretation does not appear to be probable, as the same ground for divorce would also apply to the second occasion, and the verb would then refer at once to the moral self-defilement of the woman by adultery under both her husbands; but the meaning of the verb would still be the same. In the Kal-form, however, it has a peculiar, but very instructive denotation (Lev. 18, 20), 'And thou shalt not lie carnally with thy neighbour's wife, to defile thyself with her'; for it refers not to the levitical defilement attaching equally to husband and wife after sexual intercourse (Lev. 15, 18), but, as the context shows, to a grave moral contamination, as in Lev. 19, 31 in the case of ghosts and familiar spirits, 'Seek them not out, לְטָמאה בהם, to be defiled by them'. D. Hoffmann[1] on Lev. 18, 20 rightly emphasizes, 'Damit ist nicht, wie 15, 18, die Unreinheit gemeint, die durch Baden beseitigt werden kann, sondern die Befleckung von Körper und Seele, vgl. oben I, 303 und 340'. The same is evident from Lev. 18, 23, 'And thou shalt not lie with any beast to defile thyself therewith', and v. 30, 'That ye do not any of these abominable customs, which were done before you, and that ye defile not yourselves therein'. The first prohibition views the sin of man only, irrespective of the other party which is morally not responsible; and also Dillmann-Ryssel note, 'to defile thyself therewith', 'with the semen issued, so that he makes himself through that disgraceful act an abominable man'. The added clause gives the reason of the prohibition, as in the other passages 'it is perversion, 18, 23, it is impurity, 18, 22. 17; 20, 12. 14. 17'. All this unmistakably shows that in the immoral acts the defilement is not levitical, but moral, affecting both parties to the sin with a moral stain.[2]

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[1] See Jer. 2, 20, 'Upon every high hill and under every leafy tree thou didst recline, playing the harlot; (3, 1. 2. 8) but she also went and played the harlot; (9) and it came to pass through the lightness of her harlotry, that the land was polluted, and she committed adultery with stones and with stocks'.

If any doubt should still linger in the mind as to that meaning, Ezekiel's strictures on Jerusalem for her grave sins of idolatry and bloodshed will settle all uncertainty. He exclaims, 22, 3, 'O city that sheddest blood in the midst of thee, that thy time may come, and that makest idols unto thyself to defile thee; (4) thou art become guilty in thy blood that thou hast shed, and art defiled in thine idols which thou hast made'. In both verses the making of idols and their worship are explicitly said to defile the worshipper; and the assumption that levitical defilement was intended is definitely ruled out by the parallelism of 'thou art become guilty' through bloodshed with 'thou art defiled' through idols, which shows that moral contamination was meant. The defilement conveyed by one of the two grave sins attaches itself to the perpetrators of it, and when, as a punishment, God scatters the sinners among the nations, He purges their sins, (15) 'And I will consume thy filthiness out of thee'; it is filth or something of that sort, but not levitical defilement. So again in Ezek. 37, 23, 'Neither shall they defile themselves any more with their idols, nor with their detestable things, nor with any of their transgressions'. It might possibly be suggested, though without any foundation, that the first two points in Ezek. 37, 23 by the various forms of idolatry referred, as in 8, 10, to some levitical defilement; but the general reference to transgressions points with great probability to bloodshed and to the sins enumerated in 22, 6–13, among them, (7) 'In thee have they made light of father and mother; in the midst of thee have they dealt by oppression with the stranger; in thee have they wronged the fatherless and the widow. (9) In thee have been talebearers to shed blood'. As also these or similar sins are said to have defiled the inhabitants of Jerusalem, the impurity could not have been levitical. In the reverse order 36, 25 states of sins, 'From all your uncleannesses, and from all your idols[1] will I cleanse you'; according to the presentation of the whole paragraph the uncleanness means bloodshed, and again in v. 29 'all your uncleannesses' sum up all the sins dealt with in the chapter. Similarly, bloodshed alone is termed defilement without any further explanation in Ezek. 24, 11. 13, and in parallelism with 'filth' applied figuratively to bloodshed in 24, 6–9, and in 24, 11, 'that the impurity of it may be molten in it, that the filth of it may be consumed'. None of those passages would bear naturally the reading of levitical impurity into the words denoting uncleanness. And in 39, 23 the prophet justifies before the Gentiles the fate of Israel as fully deserved, 'And the nations shall know that the house of Israel went into captivity for their iniquity, because they broke faith with Me, and I hid My face from them; so I gave them into the hand of their adversaries, and they fell all of them by the sword. (24) According to their uncleanness and according to their transgressions did I unto them; and I hid My face from them'. In the two parallel verses the grave sin of Israel for which God hid His face from them is once termed faithlessness, that is, idolatry, and then uncleanness, meaning, as in the passages quoted before, the various forms of idolatry; but this adoption of other gods implied rebellion against God and a continuous transgression of the fundamental commandments. In any case the juxtaposition of the two nouns shows that 'uncleanness' was a synonym of 'transgressions'.

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[1] Leviticus II, 22.

[2] The married woman suspected by her husband of adultery, but proved by the ordeal innocent, is described in Num. 5, 28 thus, 'And if the woman be not defiled, but be clean, then she shall be cleared, and shall conceive seed'; טהורה would be superfluous, if it only meant: not defiled, but it means: morally pure, see further. Interesting is LXX: *ἐὰν δὲ μὴ μιανθῇ ἡ γυνὴ καὶ καθαρὰ ᾖ, καὶ ἀθῴα ἔσται*; see Philo, Leg. alleg. III, 51, 150 = M.I, 117.

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[1] In 23, 7: בכל גלוליהם נטמאה, 23, 30: על אשר נטמאת בגלוליהם, 20, 7: ובגלולי מצרים אל תטמאו, 20, 43: וזכרתם שם את דרכיכם ואת כל עלילותיכם אשר נטמאתם בם.

3. Among the abominations of the Canaanites in Lev. 18 the sacrificing of children to Molech is one in v. 21, 'And thou shalt not give any of thy seed to set them apart to Molech, and thou shalt not profane the name of thy God: I am the Lord'. The parallel in Lev. 20, 3, which adds the penalty of the transgression, while viewing the grave sin from a different aspect, prohibits the same offering in similarly emphatic words, 'Because he hath given of his seed unto Molech, to defile My Sanctuary, and to profane My holy name'.[1] As it is not presumed that a figure of

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[1] Here reference must be made to Ezek. 20, 26, where God says, 'And I polluted them in their own gifts, in that they set apart all that openeth the womb, that I might destroy them'. The gifts and the sacrifices which consisted in the offering up of the first-born children, Micah 6, 7, defiled those who brought them in the same way as all other

Molech was set up, and the horrible sacrifice was offered up, in the Temple, the defilement of God's Sanctuary has to be accounted for by some religious idea other than the defiling presence of the abomination within the Temple. For even Jer. 7, 30 does not presuppose that, 'For the children of Judah have done that which is evil in My sight, saith the Lord; they have set their detestable things in the House whereon My name is called, to defile it; (31) and they have built the high places of Topheth, which is in the valley of the son of Hinnom, to burn their sons and their daughters in the fire; which I commanded not, neither came it into My mind'. And again in 32, 34, 'But they set their abominations in the House whereupon My name is called, to defile it. (35) And they built the high places of Ba‘al, which are in the valley of the son of Hinnom, to set apart their sons and their daughters unto Molech; which I commanded them not, neither came it into My mind, that they should do this abomination, to cause Judah to sin'. Jeremiah referred here first to the figures set up in the Temple,[1] which not only provoked God to jealousy, but also defiled the Sanctuary, as God says also in Ezek. 5, 11, 'Because thou hast defiled My Sanctuary with all thy detestable things, and with all thine abominations'. As they were inanimate figures, and not corpses of men or animals which alone defile levitically, the contamination of the Sanctuary by the idols was not meant to be levitical, but moral and religious, and was manifested by the unholy, perverse act of setting up and keeping idolatrous images in the presence of God and in His Temple. With the strange declaration in Lev. 20, 3 that the distant sacrifice to Molech defiled the Sanctuary of God is to be compared Ezekiel's reference to the same abomination in 20, 30, 'When ye pollute yourselves

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idolatrous sacrifices defiled the worshipper in Ezekiel and as the setting apart of children to Molech in Lev. 18, 21 defiled the Israelite, Lev. 18, 24, morally. The striking point in Ezekiel's words is the attribution to God of the giving of the horrible aberration and of the defiling of Israel involved therein, in order to destroy Israel.

[1] Cf. Ezek. 8, 5; 5, 11.

after the manner of your fathers, and go astray after their abominations, (31) and when, in offering your gifts, in making your sons to pass through the fire, ye pollute yourselves with all your idols, unto this day'. And again in 23, 37, 'And their sons, whom they bore unto Me, they have also set apart unto them to be devoured. (38) Moreover this they have done unto Me: they have defiled My Sanctuary in the same day, and have profaned My Sabbaths. (39) For when they had slain their children to their idols, then they came the same day into My Sanctuary to profane it; and, lo, thus they have done in the midst of My House'. As every form of idolatrous worship affected the Israelites with a moral defilement the nature of which has so far not been defined, so also Molech himself and the worship of Molech by the sacrifice of children contaminated them; but, in addition, so Ezekiel says, that offering defiled God's Sanctuary, as in Lev. 20, 3, and thirdly, by their visiting it on the day of their abominable sacrifice the Israelites profaned the Temple. It would even appear that the children were sacrificed on the Sabbath or on one of the festivals,[1] and after that offering, brought on account of some great calamity, their parents visited the Sanctuary to support that sacrifice by their appearance before God and by prayer. As the idols worshipped without even being touched defiled the Israelites, because the defilement was not levitical, but moral, so the Temple was morally defiled by the distant sacrifice to Molech, the impurity lying in the fact of the horrible offering to God and in the perverse belief that it honoured Him and was acceptable to Him. In reality, if it were possible, they defiled God Himself who dwelled in the Temple, but, out of respect to God, His Sanctuary was substituted; or just as bloodshed, idolatry, immorality and the body of the executed man left hanging overnight defile the land which belongs to God and in which God dwells, so that sacrifice defiles the Temple. Had the sacrifice to Molech in the days of Ezekiel been brought within the Temple and not, as in Jeremiah's account of the same period, outside Jerusalem, the prophet would not have failed to point emphatically to the more direct and even more disgraceful contamination of the Sanctuary. The same sacrifice is also referred to in Psalm 106, 36 in a very instructive form, 'And they served their idols, which became a snare unto them; (37) yea, they sacrificed their sons and their daughters unto demons, (38) and shed innocent blood, even the blood of their sons and of their daughters, whom they sacrificed unto the idols of Canaan; and the land was polluted with blood. (39) Thus were they defiled with their works, and went astray in their doings.' We find here, as in Hos. 5, 3; 6, 10, the whoredom after idols in parallelism with defilement, then the contamination of the idolatrous Israelites by their own works, the pollution of the land of Israel by bloodshed, and lastly the emphatic statement, characteristic in its interpretation and judgment, that the killing of children in honour of Molech was, in addition to all the other sins involved, shedding of innocent blood.

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[1] Cf. the juxtaposition of the observance of God's Sabbaths and the revering of His Sanctuary in Lev. 19, 30; 26, 1. 2.

That the moral or religious defilement by sinful deeds is different from the ordinary levitical contamination may further be observed in Ḥag. 2, 12, where the prophet asks the priests for instruction on a point of levitical defilement, but he himself, at the same time, applies it to moral corruption. 'If one bear hallowed flesh in the skirt of his garment, and with his skirt do touch bread, or pottage, or wine, or oil, or any food, shall it become holy? And the priests answered and said, No. (13) Then said Ḥaggai, If one that is unclean by a dead body touch any of these, shall it be unclean? And the priests answered and said, It shall be unclean. (14) Then answered Ḥaggai and said, So is this people, and so is this nation before Me, saith the Lord; and so is every work of their hands; and that which they offer there is unclean.' In the last verse the prophet declares that the people of Judaea is unclean and that their deeds and their sacrifices are unclean; but what were the nature and the character of their impurity and what was its source? His parallel between the high degree of the levitical defilement conveyed by one defiled by a human corpse and the state of the people's doings might suggest at first sight a levitical source of the impurity of the Jews. But as every work of their hands is declared to be equally impure and as the uncleanness of their sacrifices is closely connected with it, levitical impurity is out of the question. As, according to the context, the words of the prophet refer to the unsatisfactory attitude of the people to the will of God, either to its transgression of some important prohibition or to its neglect of some essential positive commandment, the state of the nation could no more have been caused by such defilement than a levitical source is possible for the unclean way of Israel in Ezek. 36, 17, but only, as that in Ezekiel, by some moral or religious failure. That has been admitted and recognized by the modern commentators of the passage, as has also the fact that, while moral impurity is illustrated by levitical contamination,[1] the two are distinct in character. But it should specially be noted that in Ḥaggai's words the sacrifices of persons morally impure, just as their actions, are termed טְמא, unclean', the meaning of which word can only be: defiled by sin, so that a moral signification of טמא must here be admitted. Its recognition is of great importance for a proper understanding of passages like Is. 64, 5, 'And we are all become as one that is unclean, and all our righteousnesses are as a polluted garment; and we all do fade as a leaf, and our iniquities, like the wind, take us away. (6) For Thou hast hid Thy face from us, and hast consumed us by means of our iniquities.' This is a sad picture of the sense of sinfulness, alive not in a few individuals, but in a great number of the prophet's contemporaries in Judaea: the heavy burden of grave sins was weighing them down and crushing them. It separated them from God, as though they had been affected very gravely by some levitical impurity of a high degree and thereby prevented from approaching Him, as they had wished to do. Even their good deeds which in other circumstances would have encouraged them to draw nearer to God, were so much overshadowed by their sins that they appeared defiled and made as unacceptable as a garment of the menstruous woman. In their description of their own sinfulness the latter is illustrated by two objects of impurity; but the comparison is not between two things of the same class, but, as one is an abstract and the other a concrete matter, it is merely based on a figure of speech, a simile. This is evident not only from the prepositions of comparison in כטמא, וכבגד, כעלה, כרוח, but also from the explanatory statement and the continuation in v. 5 b, where their hopelessness, born from their consciousness of past sins, is represented as their fading as a leaf and as their being carried away by their iniquities as by a wind. And as in v. 6 the sins, the only reality in the description, are explicitly mentioned, they are the impurity the sight of which causes God to turn away His countenance from them; and the whole statement becomes clear only when the levitical uncleanness is understood as an illustrating comparison, but not as the real nature of sin.

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[1] As in Ezek. 36, 17, 'Their way before Me was as the uncleanness of a woman in her impurity'; see above, p. 214 ff.

Other passages, however, will appear to be difficult, whenever the poet for the sake of the liveliness of style deliberately leaves out the preposition, or other indications, of comparison, or uses the word 'unclean' ambiguously. So in the characteristic instance of the moral meaning of 'unclean' in Is. 6, 5 a, 'Then said I, "Woe is me! for I am undone; because I am a man of unclean lips, and I dwell in the midst of a people of unclean lips; for mine eyes have seen the King, the Lord of hosts". (6) Then flew unto me one of the seraphim, with a glowing stone in his hand, which he had taken with the tongs from off the altar; (7) and he touched my mouth with it, and said, Lo, this hath touched thy lips; and thine iniquity is taken away, and thy sin expiated.'[1] The incident within the prophet's vision took place in the Temple of Jerusalem itself where the presence of a levitically defiled person would be a grave offence, especially as God Himself was actually present; consequently, the prophet's impurity that should have prevented his appearance before God might have been levitical, as some commentators thought. And the same would appear to be underlying the prophet's declaration that not only his own levitical uncleanness, but also his dwelling among a people affected by the same impurity disqualified him from facing God. But, first, the text does not state or suggest that the prophet's uncleanness defiled the Temple itself or any forecourt of it;

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[1] See also Zechar. 13, 2, 'And it shall come to pass in that day, saith the Lord of hosts, that I will cut off the names of the idols out of the land, and they shall no more be remembered; and also I will cause the prophets and the unclean spirit to pass out of the land'. As it appears from the context, next to the true prophets who were inspired by God, the inspiration of the false prophets is termed the spirit of uncleanness, because the gods, their source, are unclean. An interesting statement of R. Akiba on the subject in Baraitha Synhedr. 65 b deserves attention: תניא ודורש אל המתים, זה המרעיב עצמו והולך ולן בבית הקברות כדי שתשרה עליו רוח טומאה, וכשהיה רבי עקיבא מגיע למקרא זה היה בוכה ומה המרעיב עצמו כדי שתשרה עליו רוח טומאה שורה עליו רוח טומאה המרעיב עצמו כדי שתשרה עליו רוח טהרה על אחת כמה וכמה אבל מה אעשה שעונותינו גרמו לנו שנאמר כי אם עונותיכם היו מבדילים ביניכם לבין אלהיכם, 'or a necromancer', Deut. 18, 11, that is he who starves himself, and goes and spends the night in the burial-ground, in order that the spirit of uncleanness may rest on him. Whenever R. Akiba came to that verse, he wept, saying, Since the spirit of uncleanness rests on him who starves himself in order that the spirit of uncleanness may rest on him, how much more should the spirit of purity (prophecy) rest on him who starves himself in order that the spirit of purity may rest on him; but what can I do (seeing that it does not rest on him), since our iniquities have caused it, as it says, Is. 59, 2, 'But your iniquities have separated between you and your God'! In the parallel in Sifré Deut. 18, 12, 173, 107 b: כשהיה רבי אלעזר מגיע לפסוק זה היה אומר חבל עלינו מה אם מי שמדבק בטומאה רוח טומאה שורה עליו, המדבק בשכינה דין הוא שתשרה עליו רוח הקודש, ומי גרם, כי אם עונותיכם היו מבדילים ביניכם לבין אלהיכם, Whenever R. Eleazer came to that verse, he said, Woe to us! Since the spirit of uncleanness rests on him who joins himself to uncleanness, how much more should the holy spirit rest on him who joins himself to God's presence; but who caused it (that it does not rest)? Is. 59, 2; Bacher I, 326, 2.

and, secondly, neither his presence in the Sanctuary, nor the touch of his bare feet or of any limb of his body was the cause of the defilement, but his lips only are termed unclean. But, as far as our biblical information goes, the lips alone are nowhere stated as liable to levitical defilement apart from the whole human body, nor that in such a state of levitical impurity they disqualified the man from beholding God's majesty. Nor is the prophet ordered, as would be obvious in the case of any levitical uncleanness, to bathe for his purification, or to wash his body or his hands or his feet or his lips, or to be sprinkled upon by a priest with purifying ashes; but his lips only are cleansed with fire, which is God's special method of removing man's sins, Mal. 3, 2. 3; Jer. 6, 27–30; Ezek. 24, 11–13. All these considerations are borne out by the explicit statement that what made the prophet's lips unclean was iniquity and sin and that these had to be removed, before he could receive from God the message for the people. Consequently, 'of unclean lips' unquestionably means moral impurity attaching to the lips, either the evil tongue and slander, or words of levity.

For every kind of speech, good and evil, is predicated of the lips. So, first, the reverse of impure is pure, in Job 33, 3, 'My words shall utter the uprightness of my heart; and that which my lips know they shall speak sincerely, ברור מללו; and Zeph. 3, 9, 'For then will I turn to the peoples a pure language, שפה ברורה, that they may all call upon the name of the Lord'. Again of good and pure words in Prov. 12, 19, 'The lip of truth shall be established for ever; but a lying tongue is but for a moment; (16, 13) Righteous lips are the delight of kings; and they love him that speaketh right. Dishonest and disingenuous speech of the lips is referred to in 26, 24, He that hateth dissembleth with his lips, but he layeth up deceit within him; Psalm 12, 3, 'With flattering lip, and with a double heart do they speak. (4) May the Lord cut off all flattering lips, the tongue that speaketh proud things! Prov. 7, 21, With the blandishment of her lips she enticeth him away; (4, 24)

Put away from thee a froward mouth, and perverse lips put far from thee; (26, 23) Burning lips and a wicked heart are like an earthen vessel overlaid with silver dross. Mischief and wickedness in Prov. 24, 2, For their heart studieth destruction, and their lips talk of mischief; (16, 27) An ungodly man diggeth up evil, and in his lips there is as a burning fire; Mal. 2, 6, The law of truth was in his mouth, and unrighteousness was not found in his lips; Job 27, 4, Surely my lips shall not speak unrighteousness, neither my tongue utter deceit; Prov. 8, 7, For my mouth shall utter truth, and wickedness is an abomination to my lips; Psalm 34, 14, Keep thy tongue from evil, and thy lips from speaking falsehood; 140, 10, Let the mischief of their own lips cover them; (4) they have sharpened their tongue like a serpent; viper's venom is under their lips; 59, 8, Swords are in their lips; Prov. 17, 4, An evil-doer giveth heed to wicked lips, and a liar giveth ear to a mischievous tongue. Lying lips are again mentioned in Is. 59, 3; Psalm 31, 19; 120, 2; 17, 1; Prov. 10, 18; 12, 22; 17, 7; Ezek. 36, 3; and even *sin* is attributed to them in Psalm 59, 13, For the sin of their mouth, and the words of their lips, let them even be taken in their pride; Prov. 12, 13, In the transgression of the lips is a snare to the evil man; Job 2, 10, For all this did not Job sin with his lips'. In reviewing the sinful activities ascribed in the various passages to the lips, which, in contrast with ברור, could be described as speaking טמא, it seems probable that the uncleanness of Isaiah's lips and of those of the people of Judah was evil speech. The fact that the vision was granted to the prophet in the year of king 'Uzziyyah's death and that it is specially stated at the head of the chapter, suggests that there is a connexion between the impurity of the prophet and of the people and the king's death: the prophet and the people had spoken evil of the leprous, but otherwise righteous king, 2 Reg. 15, 3–5, and had described his long and terrible illness as a well-deserved visitation sent by God for secret sins. That slander and its impurity are now cleared away from all lips (2 Chron. 26, 16–21).

It need not be specially emphasized that, though the terms of levitical uncleanness were figuratively applied to moral impurity, the ideas of levitical defilement were not transferred to the contamination by sin. Not even the gravest crime, like that of murder, would prevent the sinner from approaching the altar and seizing its horns,[1] and he did not defile thereby the Sanctuary and its altar; and many a man soiled with sins entered the Temple to confess his transgression before God and to pray for forgiveness. Moral impurity without repentance excludes the deliberate sinner from the presence of God,[2] but not from the sacred precincts of the Sanctuary, as Isaiah's presence in the Temple clearly shows. Idolatry, setting up the figure of a heathen god and sacrifices to Molech defile the Temple religiously, they profane it as they profane the Name of God and God Himself; but such profanation and contamination have nothing in common with the fundamental law of levitical defilement that demands transfer by touch or, in the case of the human corpse, the presence of the man in the same tent or under the same roof. On the other hand, Ezekiel's description of Jerusalem's grave sins as filth, if it is not a crude figure of speech, might suggest that sin is something real that adheres to the outside of the sinner's body. But there is in truth no justification, nor even an indication, to be derived for that from Ezek. 24, 11. 13, nor from Is. 63, 1–5, that 'sin was conceived as a blood-stained garment enwrapping the sinner', nor from the filthy garments of iniquity in Zech. 3, 3 ff.[3] . In Is. 63, 1–5 there is no reference to such a garment, but to the blood-stained apparel of a warrior who, representing God, had crushed hostile nations in Edom and had their blood on his clothes. In Zech. 3 the high-priest Joshua is clothed in filthy garments, because he is standing accused before his judge, and it was the custom, even still five centuries later,[4] in Jerusalem for a person charged with a crime to appear in court in black, or, as here, in filthy clothes. But not these symbolize the sin, as the accused had to wear some garments, but the filth on them;[1] and, on being discharged, the high-priest Joshua, freed from his iniquity, still wears clothes, but they are without filth, clean, festive garments, and then it is again only their cleanness that symbolizes his freedom from sin. On the other hand, a single instance represents sins as of scarlet colour, Is. 1, 18, 'Though your sins be as scarlet, they shall be as white as snow; though they be red like crimson, they shall be as wool'. No garment to enwrap the sinner is mentioned here, as it is exclusively the colour that indicates the state of the people's morality. Whether scarlet suggested itself to the prophet merely as the most prominent, strong and glaring colour, or perhaps the sight of the scarlet robes of the nobles against whom his reproaches of violence and injustice were mainly directed, impressed itself upon his mind as identical with certain crimes, is not evident. But were not the same nobles wearing on other occasions, on the festivals on which the attack in Is. 1 was delivered on the Temple Mount, white garments? In addition, scarlet is in 2 Sam. 1, 24; Jer. 4, 30; Prov. 31, 21. 22 a part of the ornament of the wealthy woman's dress[2]! In view of the fact that some scholars[3] hold that to the Hebrew mind the levitical and the moral contaminations were identical in character, it must again be emphasized here that no part of the Hebrew Bible knows of a levitical impurity that would have defiled the land levitically or morally and that could have, at the same time, been removed by any form of levitical purification. On the other hand, the fact that Israel's ways and actions, and incest, bestiality and other Canaanite enormities defiled the land, should be sufficient to dispose of the assumption of such identity. And also the comparisons in Ezek. 36, 17 and Is. 64, 5, especially the latter where the despair produced by the consciousness of sinfulness is illustrated by a grave levitical impurity separating the people from God, prove clearly the fundamental difference between the two kinds of uncleanness. That illustration of the crushing effect of many sins from another aspect makes Is. 64, 5 clearer, just as the same figure of the burden of sins in Psalm 65, 4, 'The tale of iniquities is too heavy for me; as for our transgressions, Thou wilt pardon them', and 38, 5, 'For mine iniquities are gone over my head; as a heavy burden they are too heavy for me'. Levitical impurity, though it separated the person affected from the Temple for a day, a week, or even, as in the case of an issue or of leprosy, for a much longer time, could never have been felt as a heavy burden crushing, or as deep waters engulfing, the man; nor could it have produced the despair at God's turning away His countenance permanently, as though the levitical contamination was felt as a dividing wall between Him and His people, Is. 59, 1 ff. There was, certainly, in the minds of prophets and Psalmists nothing to connect the character of sin with that of levitical impurity, except that the inward effect of the moral and religious contamination of the heart was illustrated by the outward defilement of the body, and the estrangement from God and His will by the physical separation from His Sanctuary, the terms defile, unclean, polluted, uncleanness and filth being applied figuratively to grave transgressions.

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[1] Exod. 21, 14; cf. 1 Reg. 1, 50–53; 2, 28–31.

[2] Cf. Is. 59, 2.

[3] Gray, Isaiah, on 1, 18, p. 29.

[4] Josephus, Antiquit. 14, 9, 4, 172; cf. R. Ḥama in Yer. RH. i, 57 b, 6.

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[1] In the difficult statement in Mal. 2, 16, 'For I hate putting away, saith the Lord, the God of Israel, and him that covereth his garment with violence, וכסה חמס על לבושו', literally: 'he places violence as a cover over his garment', may be based on the same idea, though the Hebrew seems to point to a different simile, cf. Hab. 2, 17, 'For the violence done to Lebanon shall cover thee', and על in v. 16 suggests: violence committed by putting away his wife will cover his garment, perhaps: as a garment; see p. 273 ff., and Psalm 73, 6; 140, 10.

[2] It is difficult to see the connexion between the two halves of the verse in Prov. 31, 21.

[3] Benzinger, Archäologie, 485 ff., 2nd edition, p. 410; G. B. Gray, Numbers, 81.

4. As 'uncleanness' denotes the effect upon the sinner of his violation of God's fundamental laws, and 'defiled' the person or the people that committed the grave transgressions, so 'clean' or 'pure' designates the person free from such breach of God's will. So in Prov. 20, 9: מי יאמר

זכיתי לבי טהרתי מחטאתי, 'Who can say, I have made my heart clean, I am pure from my sin'? If by this question the author only intended to affirm, 'For there is no man that sinneth not', 1 Reg. 8, 46, or 'For there is not a righteous man upon earth, that doeth good, and sinneth not', Eccl. 7, 20, or 'I am clean, זך, without transgression, I am innocent, חף, neither is there iniquity in me', Job 33, 9, the suffix in 'my sin', the Pi'el in זכיתי apparently meaning an action of cleansing, and the usual denotation of טָהֵר, to *become* clean, suggest a different intention. Unless he used his terms somewhat loosely, it would seem that the speaker had erred in the past, but later resolved not only to refrain henceforth from sinning, but also to remove and keep out of his heart all inclination to transgress, so that he now thinks himself free from his past errors and regards his heart cleansed. זָכה means: to be clean, as the parallelism shows and Job 25, 4, 'How then can man be just with God? or how can he be clean, יִזכה, that is born of a woman? (15, 14) What is man, that he should be clean? and he that is born of a woman, that he should be righteous?' Psalm 51, 6, 'That Thou mayest be justified when Thou speakest, and be in the right, תִזכה, when Thou judgest'; Is. 1, 16, 'Wash you, make you clean, הִזַּכּו, put away the evil of your doings from before Mine eyes'. Though the root זכה is nowhere used in connexion with levitical impurity, Professor Gray found it necessary to point out against the view of some commentators on Is. 1, 16, that it is never used of ceremonial cleansing, but only of ethical purity. Not only is it parallel with צדק in Job 15, 14; 25, 4; Psalm 51, 6, but it also refers directly to God to whom ceremonial cleansing could not apply; and as Psalm 51, 6 shows, it also corresponds with the technical, forensic meaning of צדק in Deut. 25, 1, 'And the judges judge them, by justifying him who is in the right and by condemning him who is in the wrong', the same as in the Rabbinic זָכה בדין and זָכה את החייב וחִייב את הזכאי. It means: to be pure, innocent, נקי. So also the adjective or participle זָךְ or זַךְ from the root זכך denotes pure, clean, free from all impurity, as olive oil, Exod. 28, 20, and frankincense, Lev. 24, 7; but the addition in Job 33, 9 'without transgression, without iniquity', defines the purity as moral. But it has that signification even when standing by itself, as in Job 8, 6, 'If thou wert pure and upright', where the immediately following 'upright' secures its moral connotation; but in no case could levitical purity possibly be intended. The two adjectives in juxtaposition are found again in Prov. 20, 11, 'Even a child is known by his doings, whether his work be pure, and whether it be right; (21, 8) The way of man is froward and strange; but as for the pure, his work is right'. There also the subjects 'way' and 'work' make the moral meaning of 'pure' certain, so that also in Prov. 16, 2, 'All the ways of a man are clean in his own eyes; but the Lord weigheth the spirits', it is equally clear; as also in Job 11, 4, 'And thou hast said, My doctrine is pure, and I am clean in Thine eyes', not only the subject, but also the synonym בר removes all doubt. In the only two instances where the verb is used, in Job 15, 15, 'Behold, He putteth no trust in His holy ones; yea, the heavens are not clean in His sight; (25, 5) Behold, even the moon hath no brightness, and the stars are not pure in His sight', in one physical, untainted, but not levitical, purity, and in the other moral perfection are emphasized; and Job 33, 9 and Prov. 20, 9 show that pure and clean in the passages quoted meant 'free from sin'. To the same groups belong also the adjective נקי and its verb נקה in the Niph'al form; so in Jer. 2, 35, 'Thou saidst, "I am innocent, נִקיתי; surely his anger is turned away from me"; behold, I will enter into judgment with thee, because thou sayest, "I have not sinned".' Against the reproach of the prophet that the blood of innocent poor men had been shed in Judah, she asserts that she is free from such guilt; her positive, but incomplete declaration would read: I am pure from that sin; only the prophet, in quoting her statement, substitutes, 'I have not sinned'. That is borne out by Psalm 19, 14, 'Keep back Thy servant also from presumptuous sins, that they may not have dominion over me; then shall I be faultless, and I shall be clear from great transgression'; but here the same verb in the same conjugation is supplemented by the words 'from great transgression'. The same connotation of the adjective is evident from its connexion with the synonyms ישר and צדק, which are also found with זך in Job 4, 7, 'Remember, I pray thee, who ever perished, being innocent, נקי? or where were the upright cut off? (27, 17) He may prepare it, but the just shall put it on, and the innocent shall divide the silver'. As in the legal terminology in Exod. 23, 7, 'And the innocent and the righteous slay thou not; for I will not justify the wicked', so here the two adjectives in reversed sequence are used in the sense of free from sin.

Similarly טהור without further complements designates moral purity in Psalm 12, 7, 'The words of the Lord are pure words, as silver tried in a crucible on the earth, refined seven times; (19, 10) The fear of the Lord is clean, enduring for ever; the ordinances of the Lord are true, they are righteous altogether'. As both statements describe the words of God and His ordinances, levitical purity may be excluded from consideration; besides, the Psalmist illustrates the high degree of the purity by silver repeatedly refined, so that he regarded the words of God to be free from all dross in a spiritual sense. In the prayer in Psalm 51, 12, 'Create me a clean heart, O God, and renew a steadfast spirit within me', the meaning of the clean heart is defined by the preceding references to the grave sins committed by the Psalmist, so that, as suggested by Prov. 20, 9, he prays not only for the cleansing of past transgressions, but also for the purging of the moral weakness of his heart, a strengthening of his resisting power, a change of his attitude to temptation. And also in Num. 5, 28, of the woman suspected by her husband of adultery and subjected to the ordeal prescribed, it says, 'And if the woman be not defiled, but be clean; then she shall be cleared, and shall conceive seed'; the negative 'not defiled' states the now established fact that she had not been defiled by adulterous intercourse, nor had she been violated. The positive declaration 'but be clean,' is not merely a re-statement in a positive form of the negative fact for which alone she underwent the ordeal, but it goes further and proclaims that the woman is free from any moral lapse, intention and thought, that she is morally perfectly pure[1]. In Eccl. 9, 2, 'There is one event to the righteous and to the wicked; to the good and to the clean and to the unclean; to him that sacrificeth and to him that sacrificeth not; as is the good, so is the sinner, and he that sweareth, as he that feareth an oath'. It is hardly necessary to point out that even if לטוב were eliminated, in this list of several antitheses of the obedient and the disobedient, the active worshipper of God and the indifferent, the good and the sinner, and of the man who shuns an oath and him who does not mind swearing, the pure and the impure already on account of their position as the second pair could not possibly refer to levitical, but only to moral or religious, qualities. In Job 14, 4, 'Would that there were a pure man among unclean men! not one!' the meaning of the contrasting terms is a matter of dispute between the commentators, and some refer them to things and not to persons; but even in that case it is not doubtful that not levitical purity and impurity were intended.

The contrast in the grouping of sins in Prov. 30, 11, is peculiar, 'There is a generation that curse their father, and do not bless their mother. (12) There is a generation that are pure, טהור, in their own eyes, and yet are not washed from their filthiness. (13) There is a generation, Oh how lofty are their eyes! and their eyelids are lifted up. (14) There is a generation whose teeth are as swords, and their great teeth as knives, to devour the poor from off the earth, and the needy from among men.' Again, in Prov. 16, 2, 'All the ways of a man are clean in his own eyes'; and the individual man in Prov. 20, 9 says of himself, 'I am pure from my sin', and in Job 33, 9, 'I am clean, without transgression, I am innocent, neither is there iniquity in me'. In the same way in the first passage the men regarded themselves free from every kind of sin, even the slightest, but in truth they were stained with grave transgressions. Instead of describing the opposite state by the familiar term טֻמאה, the poet employed for the sum total of the numerous and various sins of a grave nature a word denoting physical filth; but the detailed list of the transgressions of the generation, none of which is external or levitical, clearly shows that, in spite of its ordinary, physical connotation, the word צואה here signifies moral sins.

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[1] See above, p. 224, note 2.

Similarly in Is. 4, 4, 'When the Lord shall have washed away the filth of the daughters of Zion, and shall have purged the blood of Jerusalem from the midst thereof, by the spirt of judgment and by the spirit of destruction'. As the grave crime of bloodshed forms the charge of the prophet, just so too that directed later against the leaders in Jerusalem in Jer. 2, 34; Ezek. 22, 3; 24, 9–13, the corresponding reproach against the noble ladies of the capital of Judaea must have been equally grave. Amos 4, 1 reproached the ladies of Samaria for their luxury and greed, and for inciting their husbands to obtain money by any means in order to satisfy their wives' greed. As in 3, 16–24, Isaiah may have described their haughtiness, vanity and unbounded luxury also by that rude word of contempt. But in no case could he have thought of physical filth or levitical impurity, as both could have been cleansed away with water; while the spirit of judgment and destruction not only would be a thoroughly unsuitable means of purification for them, but also points unmistakably in an entirely different direction. Judgment is a sequel to actions of violence, injustice, corruption and oppression, Is 3, 14, or, in the instance of the ladies, to immorality, or greed to make luxury possible. Destruction and clearing away are undoubtedly the penalties of great social wrongs, and the word 'filth' chosen by the prophet for the deeds of those women points to immorality.[1] In Prov. 15, 26, 'The thoughts of wickedness are an abomination to the Lord; but words of pleasantness are pure', the contrast is very instructive: evil designs against the neighbour, though not liable to punishment by law, are not only a moral sin, but so grave a transgression that they are an abomination to God; on the other hand, genuine, kind words spoken to the fellow-man are approved as pure. The antithesis to an abomination to God is in Prov. 11, 1. 20; 12, 22; 15, 8 'His delight', in 15, 9 'He loveth', but in 15, 26 'pure', which as a substitute for delight can only mean: free from all sin. But, as that is understood and not sufficient for the contrast, it implies more: right and righteous, as in Job 4, 17; 15, 14; 25, 4, 'Shall mortal man be just before God? shall a man be pure before His Maker?' where טָהֵר and צדק in the progress of the thought mean more than 'justified' and 'proved to be in the right', perhaps 'free from all blame', 'innocent', 'perfectly pure'.

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[1] Cf. Lam. 1, 9, 'Her impurity was in her skirts, she was not mindful of her end'.

In Prov. 30, 12, just analysed, the filth of the generation, denoting its heavy burden of sin, was upon the people, and 'yet they are not washed from their filthiness'. The passive form רֻחץ leaves it in doubt by whom the cleansing of the generation from its sins should have been effected, though the context naturally suggests that the sinners themselves should have purged away their transgressions.[1] In the other instance considered, in Is. 4, 4, 'When the Lord shall have washed away the filth of the daughters of Zion', these ladies similarly failed to remove the filth of their sins, and in the end God washes them off the sinners by His severe punishment. In His case the thorough cleansing is evidently intended figuratively, as the means applied is the spirit of judgment and destruction; but at the same time the metaphor is very probably based on some reality applied to actual sin. It would, therefore, be useful to establish whether also the washing away of their sins by the sinners themselves is only to be taken figuratively or rests on some form of real purification. In Ezek. 24, 13 God said to Jerusalem,

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[1] Cf. Is. 1, 16, and further.

'Because of thy filthy lewdness, because I have purged thee and thou wast not purged, thou shalt not be purged from thy filthiness any more, till I have satisfied My fury upon thee'. טֻמאה here corresponds with צואה in Prov. 30, 12 and Is. 4, 4, and refers to the crime of bloodshed practised in Jerusalem and described by the prophet in vv. 6–8; the city not only made no effort to cleanse itself from the accumulated crimes, but did not even yield to the purging acts of God who thereby warned and urged Jerusalem to become clean. But He will not stop in His endeavours to purge her, and only owing to her refusal will she not become free from her impurity, until God has resumed, and executed, His purging punishments of Jerusalem. Consequently, the state of recovered purity from past crimes is the result either of the determined and successful efforts of the sinful citizens to cleanse themselves or of God's repeated punishing trials; but how the sinners purge themselves, the prophet does not say. In Jer. 13, 27 the worship of Ba'al in Jerusalem is represented in the familiar figure of adultery, 'Thine adulteries, and thy neighings, the lewdness of thy harlotry, on the hills in the field have I seen thy detestable acts. Woe unto thee, O Jerusalem! thou wilt not be made (?) clean! When shall it ever be?' The verb תִטהרי in the Kal-form means, as has been shown above (p. 238), to become clean after defilement, but leaves it in doubt whether the prophet intended to say: When wilt thou, by thine own efforts, rid thyself of the abominations of the Ba'al worship and cleanse thyself from the grave transgressions involved, or whether his idea of God's intentions was: When shall I, God, be able to remove from Jerusalem and Judah the heavy guilt? But not only the context, and especially the words, 'Woe unto thee, O Jerusalem! thou wilt not become clean!' but also the conclusion indicating God's impatience and despair at the slothfulness of the people clearly shows that He expected Jerusalem to cleanse herself. It would appear that the purging should consist only in the removal of idols and idolatry, and in no special act of cleansing on the part of the people or of the individual. In Josh. 22, 17 the heads of the people of Israel said to the two tribes and a half, 'Is the iniquity of Peʿōr too little for us, from which we have not cleansed ourselves unto this day, although there came a plague upon the congregation of the Lord?' הִטַּהרנו in the Hithpaʿel, as in Gen. 35, 2 and Num. 8, 7, means: to cleanse ourselves by an act of purification, in the last two passages very probably by an immersion, but here by something undoubtedly more serious, by what? For, if the verb, as it would appear, has a passive meaning, what was there to suggest to them that God had not yet absolved them completely and finally from their grave aberration? If the tribes of Israel had to undergo some form of further purging or of penance after God had visited them by the terrible pestilence in Num. 25, 9 immediately after the sin at Peʿōr, where could a trace of it be found?

5. Before urging his contemporaries to learn to do good and to advance the cause of the weak, Isaiah in 1, 16 called to them, 'Wash you, make you clean, put away the evil of your doings from before Mine eyes, cease to do evil'. Are the first two verbs to be taken literally? had the repentant sinner actually to wash himself and to cleanse his body as an outward, symbolic indication of his deliberate removal of his sins? Jer. 2, 22 emphatically declares to the Judaean worshippers of Baʿal, 'For though thou wash thee with nitre, and take thee much soap, yet thine iniquity is marked before Me, saith the Lord God'. Those words have sense only if in Jeremiah's days the repentant from among the people actually washed themselves from their sins and believed that, in conjunction with other manifestations of repentance, such washing had some effect. In seeing their outward cleansing the prophet declared that not only the usual dipping and washing would not remove their past iniquities, but even the application of the most thorough cleansing, usually applied to linen, would have no effect in their instance and not free them from their moral pollu-

tion.[1] It should be noted at once that in the purification from levitical defilements the technical expression is ורחץ במים in Lev. 14, 8; Num. 19, 19, or ורחץ את בשרו במים in Lev. 14, 9; 22, 6, or ורחץ במים את כל בשרו in 15, 16, meaning the immersion of the whole body in water, but not כבס, which in connexion with sin occurs again in Psalm 51, 4. 9 only (see further, p. 258 ff.). Consequently, Jeremiah did not borrow his strong term כבס for washing with nitre and soap from any form of levitical purification to apply it in a figurative sense, but seems to have meant it literally. He used the same word again in 4, 14, 'O Jerusalem, wash, כַּבְּסִי, thy heart from wickedness'. Though not the body is to be washed, but the heart which cannot be reached by that process, and what is to be removed is the evil and sinful thought and intention which are inaccessible to such cleansing, and the whole sentence is, naturally, meant figuratively, it may be based on the real washing applied by the repentant sinner to his body to remove symbolically his transgressions. Similarly, when in different terms in Psalm 73, 13 the poet declares, 'Surely in vain have I cleansed my heart, and washed my hands in innocency',[2] the verb זָכָה, as was shown above (pp. 237 ff), possibly denotes actual, but moral, and not levitical, purification, and applies to the heart, so that also this statement is figurative; and also the washing of the hands, though taken from real life, is figurative, as it was done, not in water, but in innocency. It should be remembered that the washing of the hands from levitical impurity is nowhere prescribed in the Pentateuch; and in Lev. 15, 11, where it is incidentally mentioned in connexion with the man who has an issue, the term is שטף and refers to no obligation to wash the hands, as it would not remove the grave uncleanness attaching to his person, and the accidental washing

[1] Köberle, Sünde und Gnade, 18, remarks that in Babylonia sin was primarily conceived as impurity; this follows from the customs of expiation in which washing, sprinkling and similar acts are frequently mentioned. But how could that conception have influenced Is. 1, 16, or the practice of the masses in Jer. 2, 22; 13, 27?

[2] אך ריק זכיתי לבבי וארחץ בנקיון כפי.

only *reduces* that of his hands. Also in Prov. 20, 9, 'Who can say, I have made my heart clean, זִכִּיתִי, I am pure from my sin', the parallelism suggests that for freeing himself from his errors the sinner had to apply some actual cleansing of a moral, not levitical, effect, and it supports the assumption that Jeremiah referred to a real act of thorough washing of the either truly, or only outwardly, repentant sinner.[1]

In comparing with those passages the complaint of Job in 9, 28 ff. we observe a very interesting fact. 'I am afraid of all my pains, I know that Thou wilt not hold me guiltless. (29) I shall be condemned; why then do I labour in vain? (30) If I wash myself with snow water, and make my hands never so clean: (31) yet wilt thou plunge me in the ditch, and mine own clothes shall abhor me.' His terrible sufferings convinced Job that God regarded him not only as not free from sin and, on account of that, as deserving punishment, but also as a sinner. If, conscious of his freedom from transgressions, Job did his utmost by washing himself in the cleanest water and thereby removed any sin possibly attaching to him, it would be of no avail, as God, by covering his body with leprosy to such an extent that even his garments would detest him, would thereby prove the reverse of his asserted moral purity, his sinfulness. Or should the consideration that God did not in reality dip Job in a ditch full of mire suggest that Job's own alleged washing of himself was merely a figure of speech? At the outset, at least, this much is clear: Job did not refer to any levitical procedure of levitical cleansing, as for such purification snow-water is not superior to running water, Lev. 15, 13, nor is after the immersion of the whole body an additional, special cleansing of the hands prescribed after even the gravest impurity, not even after leprosy. Only in Psalm 73, 13 does the poet emphasize besides the cleansing of the heart the washing of the hands, and there may possibly be some connexion between the two passages, which certainly demands an explanation. First, it is interesting to find that the two verbs used by Job in one verse are also employed in Is. 1, 16, 'Wash you, make you clean', immediately after the statement of the prophet that God rejected the prayers of the noble pilgrims, because their hands which they had spread forth were full of blood shed. Consequently, one of the two verbs of cleansing, if not both, points specially to that of the hands; and as in Deut. 21, 6; Exod. 30, 19. 21, and also in poetical passages, Psalm 73, 13; 26, 6, רחץ refers to the hands or the palms, it is also in Is. 1, 16 to be referred to the hands. Their cleansing and their purity are frequently mentioned in poetry and prose, and in every case they are undoubtedly meant in a moral sense, as the hands are the instruments that realize the evil intentions of the sinner. So in Job 17, 9, 'Yet the righteous holdeth on his way, and he that hath clean hands waxeth stronger and stronger'. God, therefore, regards as perfect in Psalm 24, 4 'him that is clean of hands, נקי כפים, and pure of heart'; for the good man should not only do no wrong to his fellow-man, but also conceive no thought of violence in his heart against him. So also in Gen. 20, 5 king Abimelekh justifies before God his treatment of Sarah, 'In the simplicity of my heart and in the purity, נקיון, of my hands have I done this'. Consistently the sin of violence is ascribed to the hands in Job 16, 17: 'Although there is no violence in my hands, and my prayer is pure;[1] Psalm 7, 4, If there be iniquity in my hands; Job 31, 7, If any spot hath cleaved to my hands; Is. 59, 3; Prov. 6, 17, For your hands are defiled with blood, and your fingers with iniquity; 59, 6, And the act of violence is in their hands; Is. 33, 15, That shaketh his hands from holding of bribes; Jonah 3, 8, And from the violence that is in their hands.'

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[1] Cf. LXX on Job 7, 21: ותעביר את עוני, *καὶ καθαρισμὸν τῆς ἁμαρτίας μου*; the translator read the first word as a verbal noun or as a noun formed from בַּעֵר which is rendered by *καθαρίζω* in Deut. 19, 13.

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[1] The very interesting adjective qualifying prayer suggests with Is. 1, 15 that the prayer must not be troubled by sins of violence, then it is pure. Cf. p. 303 ff.

So it seems natural that Isaiah and Job emphasized the necessity of a moral cleansing of the hands by those who wished to approach God in supplication or by him who was about to declare himself free from sin. And any righteous man would, as Job did, stress the fact that he purged his hands from all and any wrong done to the neighbour, as also the righteous man in Psalm 26, 3 declares, 'I have walked in Thy truth. (4) I have not sat with men of falsehood; neither will I go in with dissemblers. (5) I hate the gathering of evil-doers, and will not sit with the wicked. (6) I will wash my hands in innocency, so will I compass Thine altar, O Lord.' The first five verses of the Psalm declare the poet's determination to keep himself pure by walking in integrity, in trust in God and in gratitude to Him, and by guarding himself against all contamination by association with evil-doers and their company. Consistently the continuation in v. 6 should in the same moral sense express his consciousness that his hands refrained from soiling themselves with any impurity, and that he dare approach God's altar and walk in circuit round it only after the proper removal of all moral wrong and injustice to the fellow-man. We have no evidence that in biblical times the worshipper in the Temple of Jerusalem, before approaching the altar, had to wash his hands. The reference of the commentators to Exod. 30, 17 ff. is wrong, as there the priests only are ordered to wash their hands and their feet before entering the Sanctuary proper or before approaching the altar for ministration; as neither action is permitted to the layman, the rule does not apply to him. Psalm 24, 3 says, 'Who shall ascend into the mountain of the Lord? and who shall stand in His holy place? (4) He that hath clean hands, and a pure heart; who hath not taken My name in vain, and hath not sworn deceitfully.' As mentioned before, the clean hands are not meant as being physically or levitically washed, but as morally pure; and so Psalm 15, without mentioning clean hands, demands for sojourning in God's Tabernacle (2), 'He that walketh uprightly, and worketh righteousness, and speaketh truth in his heart, (3) nor doeth evil to his fellow'. And in Psalm 73, 13 the poet says, 'Surely in vain have I cleansed my heart, and washed my hands in innocency', and refers thereby to his pure life at home, and not to his presence in the Temple (17).[1] And so also Job 9, 30 seems to have declared that even though he had searched his heart most carefully for possible sins, and repented of them by washing his heart and his hands in innocency, and now felt pure inside and outside, God would not only not withdraw the leprosy from his body, but even intensified it. Yet the impression remains that his figure of speech went back to a custom according to which the repentant sinner first immersed and then washed his hands to symbolize the removal of the sins committed by his heart and by his hands.

That such a practice of an actual, symbolical washing of the hands in connexion with a declaration of freedom from sin did exist in biblical times is further evident from the procedure prescribed in Deut. 21, 1–9 in the case of an undetected murderer. The elders of the city nearest to the place where the slain person was found shall bring an unused heifer down to a rough, uncultivated valley, break the neck of the heifer, wash their hands over it 'and say, (7) "Our hands have not shed this blood, neither have our eyes seen it. (8) Forgive, O Lord, Thy people Israel, whom Thou hast redeemed, and suffer not innocent blood to remain in the midst of Thy people Israel". And the blood shall be forgiven them.'[2] Blood shed sticks to the hands of the murderer, and though he washes it off thoroughly and with all possible means of cleansing, God sees it still, as in Is. 1, 15, 'And when ye spread forth your hands, I will hide Mine eyes from you; yea, when ye make many prayers, I will not hear; your hands are full of blood; Ezek. 23, 37. 45, For they have committed adultery, and blood is in their hands; Is. 59, 3, For your hands are defiled with blood, and your fingers with iniquity; your lips have spoken lies, your tongue muttereth wickedness.' When innocent blood is shed, it is received by the earth, and thence it cries to God, Gen. 4, 10, though it is covered up by the murderer and made invisible, Job 16, 18; and even more so, when a rather callous murderer sheds blood on a hard rock, Ezek. 24, 8, where it is not absorbed by the earth. When God is about to punish for it, the earth lays bare the innocent blood, Is. 26, 21. As the crime is very grave, the elders of the city near which a slain person has been found have to wash from off their hands even the suspicion of bloodshed, and by that symbolic act show and declare their innocence, Deut. 21, 6. No other instance of such washing of the hands in connexion with bloodshed has been preserved in the Hebrew Bible. Of a much later date is the statement in Matt. 27, 24, which is to be understood in the way in which the commentators have declared it as recording a Jewish custom followed by Pilate, with just one slight, though essential alteration. It relates, 'When Pilate saw that he was doing no good, but that the uproar was becoming greater, he took water, and washed his hands before the crowd, saying, I am innocent of this blood; see to it yourselves. (25) Then answered all the people, and said, His blood be on us, and on our children!' On these two verses a critical remark of great ingenuity and of convincing force was published by Dr. H. M. C. whom I am unable to identify, in a place[1] where it escaped the attention even of Dr. Klausner and Dr. C. G. Montefiore, and, naturally, also that of Christian commentators. Like other scholars before him, Dr. C. rightly points out the close connexion of Pilate's act with Deut. 21, 6, and then proceeds (p. 87), 'Abgesehen davon, dass man von Pilatus doch nicht die Vollziehung eines hebräischen Ritualakts erwarten dürfte, ist in seiner Person der Akt auch widersinnig. Wer ein Urteil fällt oder bestätigt, kann nicht sagen, dass ihn die Sache nichts angeht. Wer aus Furcht ein Urteil gegen Jemand bestätigt, von dessen Unschuld er überzeugt ist, der kann nicht sagen, dass er an dem Tode dieses Gerechten unschuldig ist. Dagegen wäre der Akt ganz sachgemäss von Seiten der jüdischen Ältesten, im Sinne einer Darstellung, welche betonen will, dass die Juden mit der Sache nichts zu tun hatten. Der Gedankengang, dass Jesus Christus zwar im Gebiet von Palästina hingerichtet, dies aber lediglich Sache der Römer sei, ausgedrückt in der symbolischen Ceremonie von V. Mosis 21, 6, wäre logisch und von einer gewissen dichterischen Kraft. Die Ceremonie wäre dagegen, wie bemerkt, sinnlos und unwahr von Seiten des Pilatus. Was mir an der Stelle geändert erscheint, ist Folgendes: Ursprünglich waren Matth. 27, 24 und 25 zusammenhängend. Es war darin etwa zu lesen: "Die Aeltesten wuschen die Hände vor dem Volke und sagten: Wir sind unschuldig an dem Tod dieses Gerechten. Sein Blut komme über uns und unsere Kinder, Josua 2, 19. 20".'

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[1] In support of the commentators' view might be adduced the statement of Philo, De spec. leg. I, 198 = M. II, 241, 'Then the man who is bringing the sacrifice shall wash his hands, and place them upon the head of the animal of sacrifice'. But nothing is known of that custom from other sources.

[2] Cf. Elhorst in ZATW. 39, 1921, 63, and the commentators.

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[1] Jahrbuch für jüdische Geschichte und Literatur 6, 1903, 82–90.

6. But when men are either unwilling or incapable to cleanse themselves from their grave sins and do not invoke God's assistance, He purifies them from their iniquities. As was shown above (p. 244), in Ezek. 24, 13 God first tried to purge the population of Jerusalem from its numerous sins by inviting it through His prophets to repent and to return to Him, and also by reminding them of their transgressions by occasional visitations of various degrees, Amos 4, 6–11. But they not only continued their sinful actions, but even added new and graver transgressions, as bloodshed and idolatry, as described in Jer. 2, and so characteristically presented in Jer. 13, 27, 'Thine adulteries, and thy neighings, the lewdness of thy harlotry, on the hills in the field have I seen thy detestable acts. Woe unto thee, O Jerusalem! thou wilt not be made clean! When shall it ever be?' The prophet warned them repeatedly to stop their idolatry, as thereby they would initiate their self-purification and

gradually recover their moral cleanness. But, as they persistently refused to obey and even sank more deeply into impurity, the hope of God or of the prophet that they would ever advance towards a purging of their iniquities receded, and as the probability of their recovery is far removed, the prophet is filled with despair. The terrible punishment threatened, a catastrophe of destruction, comes upon Judah, and the prophet hopes that that, at last, will bring them back by force to a consideration of their sins, they will surely repent and become pure again. It is not stated whether the great visitation will be sufficient to wipe out the grave sins of many years, and only the great comforter says, Is. 40, 2, that Judah's guilt is paid off and that she has received of the Lord's hand double for all her sins.[1] Another instance of the purging of sin by divine punishment is found in Mal. 3, 2, where God's messenger, and God Himself come to Jerusalem to purge the transgressions of the priests. 'But who may abide the day of His coming? and who shall stand when He appeareth? For He is like a refiner's fire, and like fullers' soap; (8) and He shall sit as a refiner and purifier of silver, and He shall purify the sons of Levi, and purge them as gold and silver; and there shall be they that shall offer unto the Lord offerings in righteousness.' The priests of the time polluted and profaned the sacrifices which they offered up to God, 1, 6–14, not because they were levitically unclean while handling the sacrifices, but because their minds were irreverent and lacking in religious sentiment, indifferent and contemptuous to God and His altar. The term used is not טמא, but מְגֹאָל, 1, 7, 'Ye offer polluted bread upon Mine altar. And ye say, Wherein have we polluted Thee? In that ye say, The table of the Lord is contemptible.' So their contemptuous words affected the sacrifice with pollution, as in other similar remarks of theirs they called the altar polluted, 1, 12.

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[1] Cf. Lam. 4, 22, 'The punishment of thine iniquity is accomplished, O daughter of Zion, He will no more carry thee away into captivity', תם עונך בת ציון.

The root denotes physical pollution with blood, Is. 59, 3; Lam. 4, 14; Is. 63, 3, with food, Dan. 1, 8, but also with violence, Zeph. 3, 1, and with the impurity of a tainted descent, Ezra 2, 62; Neh. 7, 64; 13, 29; and we see the root which signifies physical contamination applied figuratively to contempt to sacred things and to the altar, and to the sin of violence. The grave failings of the priests will be purged, so that they may become again pure priests and the sacrifices to be offered up by them be acceptable to God.

Two means of cleansing are applied by God, one is washing compared with the application of the soap of fullers, a very strong cleaning agent which in Jer. 2, 22 was declared by the prophet ineffective, when used by grave sinners of his day for cleansing themselves from their idolatry. Malachi uses it as a simile to illustrate the unnamed method applied by God, and to be intensified it is described as fullers' soap. It suggests the idea that the priests are thought to be permeated with sins and impurities, as the fuller's cloth or linen, and as it is washed in lye, beaten and scrubbed, so the priests will be chastised with punishments of greater or lesser severity for their sins. The other method of purging applied by God is compared with the fire of the refiner which removes the dross of the silver; and, as the real dross is not named or described, its meaning is doubtful, as 'refine' may mean either the burning out of the dross of sin from the heart of the individual priest, or the removal of the unworthy priests, the dross within the whole body of the priesthood. That no levitical purification is intended here, nor is sin conceived as levitical impurity is evident from the purification by melting and refining. The same method of cleansing is described in Jer. 6, 28, 'They are all grievous revolters, going about with slanders; they are brass and iron; they all of them deal corruptly. (29) The bellows blow fiercely, the lead is consumed of the fire; in vain doth the founder refine, for the wicked are not separated. (30) Refuse silver shall men call them, because the Lord hath rejected them.' Here all Judaeans are declared to be sinners rebelling against

God, going about as slanderers and dealing corruptly; and as the transgressors are not grouped according to grades, and the words 'they are brass and iron', are inserted between the first two classes of sinners and the third, a generalization, it seems that not the sinners, but their sins are the base metals, and the whole population is the alloy of refuse silver, and its transgressions are too many to be removed. Similarly in Mal. 3, 3, 'And He shall purify the sons of Levi, and purge them', the juxtaposition of the two verbs of essentially different meaning shows that not a removal of the unworthy priests was intended, but the purging of every individual priest by visitations; and it should be noted that the punishment cleanses away all sins and leaves the priests fully purified. Different is the principle enunciated in Jer. 33, 8 that, after the destruction of Jerusalem and the carrying away of Judah's people into exile, Israel will be restored to its country and there rebuilt; 'and I will cleanse them from all their iniquity, whereby they have sinned against Me; and I will pardon all their iniquities, whereby they have sinned against Me, and whereby they have transgressed against Me'. As the cleansing from their sins, like the subsequent pardon, is one of the acts of God's love for His people, it cannot be identical with the severe punishments of the destruction and the great sufferings in the exile which were the expressions of God's chastening anger; but once his wrath against His people has been satisfied, the purging of their transgressions and their complete removal will follow. The same succession of the identical ideas is even more forcibly described in Ezek. 36, 33, where after the return of Israel from the exile God says, 'In the day that I cleanse you from all your iniquities, I will cause the cities to be inhabited, and the waste places shall be builded'. So long as the sins committed by the inhabitants of Judah before its destruction rest upon the people, the country remains in its ruined condition, caused by the Babylonian conqueror as God's punishing instrument; for that state of the once flourishing land and the absence of its inhabitants in captivity are the punishments for their grave transgressions, Deut. 29, 21–27. The cleansing of the people from them by God Himself is the preliminary act to the full restoration of Judah and is effected by Him as a sign of His love and pardon. And in Ezek. 37, 23 the prophet says, 'Neither shall they defile themselves any more with their idols, nor with their detestable things, nor with any of their transgressions; but I will save them out of all their dwelling-places, wherein they have sinned, and will cleanse them; so shall they be my people, and I will be their God'. When the sufferings of the exile have cured them of their idolatry and they return to their country, they will not again worship Ba'al; but the old impurity of idolatry will, even after the great trials of the long exile, not have disappeared entirely, until God has removed the old inhabitants from the towns of their former worship of strange gods and cleansed the people. And only now, when completely pure from those abominations and from their defilement, does Israel again become God's people.

The way in which God effects the cleansing is described in Ezek. 36, 24, 'For I will take you from among the nations, and gather you out of all the countries, and will bring you into your own land. (25) And I will sprinkle clean water upon you, and ye shall be clean; from all your uncleannesses, and from all your idols, will I cleanse you. (26) A new heart also will I give you, and a new spirit will I put within you; and I will take away the stony heart out of your flesh, and I will give you a heart of flesh.' In this statement which otherwise is exactly parallel with those just quoted from Jeremiah and Ezekiel, we find instead of iniquities and transgressions uncleanness and idolatry which will be purged away by God, and the cleansing is executed by the sprinkling of pure water. But it is difficult to see what is meant by the pure water used here for sprinkling, and how water sprinkled could purify the people from idols, or even from the contamination left behind by their worship; for there is no rule mentioned in the Pentateuch or outside it in any book of the Bible that would demand, or permit, such sprinkling for the removal of the impurity conveyed by idolatry. It seems most probable that Ezekiel the priest borrowed the procedure from the only occasion when pure, running water was mixed with ashes of the Red Heifer and sprinkled upon a person or a thing defiled by a human corpse, and applied it to the essentially different, moral and religious impurity of bloodshed and idolatry. A moment's consideration, however, is sufficient to establish the points of difference between the two occasions of purification. In Num. 19, 11–22 the water is sprinkled upon an individual, and after the war against the Midyanites in Num. 31, 19. 20 only upon him 'whosoever hath killed any person, and whosoever hath touched any slain', in Ezekiel upon all the exiles who returned from the Babylonian exile to Judaea. This fact clearly characterizes the whole act as symbolic, like the sprinkling of the blood of the covenant upon the people at Sinai in Exod. 24, 8, and not as a real purification as in the case of the levitical defilement. Secondly, not a priest carries out the sprinkling, but God Himself acts as the purifier of the whole nation, and that again proves it to be symbolic and figurative. Thirdly, the water used is termed pure, it contained no admixture of anything sanctified, nor was it of a special, holy character, unlike the holy water in Num. 5, 17 or the ashes of the Red Heifer in Num. 19, 17; so that the purifying force lay not in the water itself, but in Him who sprinkled it, and, consequently, the sprinkling here has nothing in common with the levitical purification of the levitically defiled person. Only God could cleanse away the sins of His people to make it pure, and as He terms them pollution, He applies a form of purification to them. If the symbolic act rested on some reality, we would have to assume that in the days of the first Temple, especially in its last years, a custom existed in which a grave moral or religious sinner who repented, first cleansed himself symbolically from his transgressions, and then went to the Temple, confessed his iniquities, perhaps over a sacrifice of atonement, and then the priest sprinkled upon him pure, holy water and perhaps said to the repentant sinner, 'I sprinkle upon thee clean water, and thou shalt be clean, from all thy uncleannesses and from thy sins may God clean thee!' But there is no evidence that such a symbolic moral purification from transgressions by the sprinkling of clean water upon the repentant sinner by a priest in the Temple was ever practised.

An exact and very instructive parallel is the prayer addressed to God in Psalm 51, 4, 'Wash me thoroughly from mine iniquity, and cleanse me from my sin'. Not the sinner who, undoubtedly, had tried his utmost to find his way back to His God by repentance and contrition and to free himself from his transgressions, strives here to effect his own washing and cleansing, as in Is. 1, 16; Jer. 2, 22. But, as he feels the weight of his sins to be too heavy to be removed by human effort and his own strength to be insufficient for the great task, he prays to God to apply to him the very same acts of purging as he would apply, or had in reality applied, to himself in vain, as he still feels unrelieved of the burden of some very grave sin. But in v. 9 he prays for different forms of cleansing, 'Purge me, תחטאני, with hyssop, and I shall be clean; wash me, and I shall be whiter than snow'; this would ask for a second washing and purification that would effect for him a higher degree of purity whiter than snow. In connexion with the removal of sin the same simile is employed in Is. 1, 18, 'Though your sins be as scarlet, they shall be as white as snow; though they be red like crimson, they shall be as wool'. As the body of man, especially of the Palestinian, even by repeated and increasingly thorough washing cannot become as white as snow, and as the verb כבס is never applied to the body, but only to clothes, it would seem that in referring to his sins the Psalmist, to illustrate them, was thinking of a linen garment physically unclean.[1]

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[1] So already Kimḥi on Is. 1, 18, and Baethgen and Kittel on the Psalm.

The verb חטא, when referring to a ceremonial procedure of purging, means purify in connexion with the defilement of a person by a human corpse,[1] and is every time to be followed by the washing of his clothes and his immersion; it is also applied to the cleansing of things so defiled, Num. 31, 20. 23. The use of hyssop is based on Num. 19, 18, where it is explicitly prescribed that the sprinkling of the purifying water be carried out with hyssop, 'And a clean person shall take hyssop, and dip it in the water, and sprinkle it upon the tent, and upon all the vessels, and upon the persons that were there, and upon him that touched the bone, or the slain, or the dead, or the grave.' So the Psalmist would have borrowed from that levitical procedure the sprinkling of the water with a bundle of hyssop, and applied it as a means of purification to moral impurities, sins; but just as in Ezek. 36, 25, 'And I will sprinkle clean water upon you, and ye shall be clean', no purifying ashes were added to the water, so here the hyssop alone is the means of cleansing, and the water mixed with ashes, so essential in Num. 19, is passed over. And as in Ezekiel, so here God is asked to wash, to cleanse and to purge the sinner; and this alone is sufficient to show that the Psalmist intended no real application of a physical or ceremonial purification, but only expressed God's spiritual cleansing of sin in the terms of the levitical sprinkling of the purifying ashes.[2]

But here again the question arises whether the imagery of the Psalm rests on some formal acts of the repentant sinner who, in order to mark his hard-won and recovered inner purity from some grave sin, washed, immersed and cleansed himself, and then asked the priest on duty in the Temple to sprinkle upon him clean, sanctified water as a symbol of God's coming forgiveness? Professor Kittel[1] has no hesitation in interpreting the words of the Psalm to that effect, when on vv. 9–11 he remarks: 'All these expressions are figures of speech, partly taken from the language of the sacrificial cult and from the rites of purification. To a large extent they had once a real meaning, frequently also in connexion with songs of repentance. The man concerned performed the sacred ablutions in order to express his purity; he let himself be sprinkled upon by the priest—at least after leprosy, Lev. 14, 4 ff. 51,—with the purifying bundle of hyssop, as was the custom also elsewhere.[2] But here all has become a figure for forgiveness, so much so that the speaker does not even think it necessary to say "*as* with hyssop"; they had been accustomed to this style of figures of speech for a long time, see Is. 1, 16.' With the imagery of the Psalmist may also be compared Zechar. 13, 1, 'In that day there shall be a fountain opened to the house of David and to the inhabitants of Jerusalem, for purification and for sprinkling, לחטאת ולנדה'. In the single and abrupt verse the nature of the sin of the royal house and of the men of the capital, which the prophet had in mind is not indicated, though it may have been grave. As v. 2 shows, it was idolatry, just as in Jeremiah's and Ezekiel's references to Israel's purification; and the technical terms for cleansing used here characterize it as a levitical defilement of the highest degree, that conveyed by the human corpse. For לחטאת ולנדה are employed in Num. 19, 9: למי נדה חטאת הוא, 'for a water of sprinkling; it is a purification from sin', and נדה alone in v. 20: מי נדה לא זרק עליו, 'the water of sprinkling hath not been dashed against him: he is unclean', and v. 21: ומזה מי נדה, 'and he that sprinkleth the water of sprinkling shall wash his clothes'; in all those passages the ashes of the Red Heifer mixed with running water are to be sprinkled upon a person or a thing defiled by the human corpse. In the prophet's idea the removal of the sin will have to be effected by the same procedure as the levitical defilement in Num. 19; and it is of interest to find that the false prophets who were inspired by Ba'al are described as possessing the spirit of uncleanness, רוח הטֻמאה, evidently of idolatry as a moral impurity. And again the possibility emerges that the sprinkling of clean fountain water without any admixture of ashes of the Red Heifer was the means for removing symbolically the sin of idolatry from those who repented of it and who perhaps came to the priest in the Temple to be purified from that transgression.

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[1] Num. 19, 12. 13. 19. 20; 31, 19. 20; 8, 7. 21.

[2] See Köberle, Sünde und Gnade, 354 on Psalm 51, 'As to the terms, it should be noted that sin is described as impurity, v. 9. 11, and still bears throughout an inner character, v. 12; this allows us to infer that the various rites of ceremonial purification also were then interpreted figuratively as referring to the inner purity in a moral respect'.

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[1] Die Psalmen, 1914. 208.

[2] 'Cf. Zimmern, KAT^3 524 ff.; 602; Schrank, Babyl. Sühnriten, 84. 89.'

7. In conclusion a few words have to be said about the most characteristic reference to the annual purification of the whole of Israel from its sins on the Day of Atonement in Lev. 16, 30, 'For on this day he shall atone for you, to cleanse you; from all your sins shall ye be clean before the Lord'. As in the sacrificial service described in the book of Leviticus the subject of the verb כפר is invariably the priest,[1] so also here the high-priest by the several special

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[1] In Exod. 32, 30 Moses said to the people, 'Ye have sinned a great sin; and now I will go up unto the Lord, peradventure I shall make atonement for your sin'; and in Num. 25, 13 it says of Phineḥas's zealous deed, 'Because he was jealous for his God, and made atonement for the children of Israel'. In both cases the atonement was effected neither in the Sanctuary, nor on the altar, nor by sacrifice, but in the first case by intercessory prayer, and in the other by a determined act of punishment. In a few instances God is the subject, so in Deut. 21, 8 'Forgive, כַפר, O Lord, Thy people Israel'; Deut. 32, 43, 'Sing aloud, O ye nations, of His people; for He doth avenge the blood of His servants, and doth render vengeance to His adversaries, and doth make expiation, וכפר, for the land of His people.' To those should be added the passages where the sin is the subject of the passive or reflexive form of כפר and God has to be supplemented as the agent; so in Num. 35, 33: 'And no expiation can be made for the land for the blood that is shed therein, but by the blood of him that shed it; Deut. 21, 8, And the blood shall be forgiven them, ונכפר; 1 Sam. 3, 14, The iniquity of Eli's house shall not be expiated with sacrifice nor offering for ever; Is. 6, 7, And thine iniquity is taken away, and thy sin expiated; 22, 14, Surely, this iniquity shall not be expiated to you till ye die; 27, 9, Therefore by this shall the iniquity of Jacob be expiated, and this is all the fruit of taking away his sin; Prov. 16, 6, By mercy and truth iniquity is expiated; Dan. 9, 24, To finish the transgression, and to make an end of sin, and to forgive

sin-offerings of the day brought on behalf of the whole nation, and by his repeated confession of sin which accompanied several of the sin-offerings, and by the repentance of the congregation and its fast effected atonement for the people of Israel. What the real and direct object and the concrete and immediate effect of the sin-offering and the atonement were, and to what extent the sin-offering removed the sin for which the sacrifice was brought, is nowhere in the Pentateuch either explicitly stated or even indicated. For the book of Leviticus is only a code of the sacrificial procedure for the Israelite who voluntarily brings, or has the duty to offer, a sacrifice, and for the priest who offers it up; the meaning of the sacrifices themselves and of the individual acts in connexion with them must have been explained separately, but that part of the code has not been preserved. In the case before us the sin-offering and its atonement are followed by the words 'to cleanse you'; but as the verb is in the infinitive and that is nowhere else used of the priest who officiates at the sacrifice brought to atone for some sin of its bringer, it is doubtful whether the subject of the infinitive is the high-priest and the verb continues the enumeration of his several sacrificial actions, or it states the expected effect of his ministrations. Or has the atoning action of the high-priest been concluded and completed in v. 25, and does 'to cleanse you', and perhaps the whole of verse 30, including 'he shall atone', refer to God? For v. 34 has, 'And this shall be an everlasting statute unto you, to make atonement for the children of Israel because of all

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iniquity, and to bring in everlasting righteousness, and to seal vision and prophet, and to anoint the most holy place.' God forgives sin, expressed by כפר, in Jer. 18, 23, 'Forgive not their iniquity, neither blot out their sin from Thy sight; Ezek. 16, 63, When I have forgiven thee all that thou hast done, saith the Lord God; Psalm 65, 4, The tale of iniquities is too heavy for me; as for our transgressions, Thou wilt pardon them; 78, 38, But He, being full of compassion, forgiveth iniquity, and destroyeth not; 79, 9, And deliver us, and forgive our sins, for Thy name's sake; 2 Chron. 30, 18, For Ḥezekiah had prayed for them, saying, The good Lord pardon (19) every one that setteth his heart to seek God'.

their sins once in the year', and it is addressed to the priests; and as the words in that part are the same as in v. 30, יכפר there would also refer to the high-priest. Again, as v. 25 has stated the last of the day's sacrificial services carried out by the high-priest, and vv. 29 and 31 prescribe the duties of the people on the Day of Atonement, it would hardly be natural to refer the intervening v. 30 to the high-priest, for if he was intended there, it would have been logically expected after the interruption that he should be mentioned. In fact, however, there is no reference to him in the verse, and that he is mentioned again in v. 32 indicates that the verse preceding did not refer to him. That would support the explanation that the subject of יכפר and לטהר in v. 30, as that of the first verb in the several passages adduced before, is God Himself, though לפני ה' in the second half of the verse suggests for the first half the high-priest as the subject. The intransitive verb תטהרו also seems to support the reference of the verse to the high-priest, as that verb sums up the result of his ministrations, as far as it depended on him: the Israelites are now purified through his human intercession with God and are only awaiting His forgiveness. On the other hand, is it probable that the verse should ascribe to the sacrifices of the people and to the high-priest's intercession the great effect of Israel's cleansing from its sins, and that sacrificial purging should imply the automatic recognition by God of Israel's purity from its transgressions? No other sin-offering, whether brought by the congregation of the people, Lev. 4, 13–21; Num. 15, 24–26, or by an individual, Lev. 4, 22–5, 26; Num. 15, 27. 28, effects the purity from sin before the Lord stated here, and the recurring declaration 'and they (he) shall be forgiven', Lev. 4, 20. 26. 31. 35; 5, 10. 13. 16. 18. 26; Num. 15, 26. 28, in connexion with the atoning sacrifices is hardly to be compared with that. Or do the words perhaps mean: so that ye may, and surely will, be pure before the Lord? It is strange that, with the exception of the Hebrew commentator Wessely, none of the Jewish interpreters found it necessary to explain, or to argue, the ambiguities of the passage,[1] and among the modern exegetes even Dillmann offers no help, and has to remark very little, on the difficulties of the verse.

Next to טהר there is another difficulty in the word 'uncleanness' in the atonement by the sin-offerings on the Day of Atonement. In Lev. 16, 16 the blood of the he-goat of the sin-offering is to be brought by the high-priest into the Holy of Holies, 'And he shall make atonement for the holy place, because of the uncleannesses of the children of Israel, and because of their transgressions, even all their sins; and so shall he do for the tent of meeting, that dwelleth with them in the midst of their uncleannesses'. Even if the preceding analysis had not shown that 'uncleanness' denoted in a number of biblical passages moral impurity, sin, the juxtaposition of the three nouns מטמאות בני ישראל ומפשעיהם לכל חטאתם as synonyms would at once suggest that meaning of the word, or, at least, attract attention by its strange association, as it has aroused the interest of the commentators. Even if 'uncleannesses' refer to ceremonial defilements only, the atonement extended to all kinds of sins, and the question arises, what sins of the people affected the various parts of the Sanctuary to necessitate special atonement for each. The Rabbis interpreted it to mean actual, though unnoticed defilements of the Sanctuary by laymen; but, as rightly noted by commentators and specially stressed by Dr. Katzenelson,[2] the wording of the biblical ordinance refers neither to a contact of the Israelite with, nor his approach to, the Tabernacle, as the non-priest was forbidden to go even near the altar. On the other hand, a consideration of Deut. 23, 11. 12. 15 has shown that the mere presence of a levitically unclean person in the holy camp of God was offensive to Him, and in Num. 5, 3 men affected with a grave levitical impurity defiled the camp in which God dwelt. The same is impressed in Lev. 15, 31, 'Thus shall ye separate the children of Israel from their uncleanness; that they die not in their uncleanness, when they defile My Tabernacle that is in the midst of them'. And in the case of the grave defilement by a human corpse, Num. 19, 20, 'But the man that shall be unclean, and shall not purify himself, that soul shall be cut off from the midst of the assembly, because he hath defiled the Sanctuary of the Lord'. Accordingly, while he is in an unpurified condition, his mere presence in God's camp defiles the Tabernacle; and the atonement of the individual parts of the Sanctuary on the Day of Atonement because of the uncleannesses of the children of Israel seems to have been necessary on account of the presence of unclean persons in the camp.[1] Taking the altar first, Lev. 16, 19, 'And he shall sprinkle of the blood upon it with his finger seven times, and cleanse it, and hallow it from the uncleannesses of the children of Israel. (16) And so shall he do for the tent of meeting, that dwelleth with them in the midst of their uncleannesses', we note that in these two instances of atonement offences against the Tabernacle only by uncleannesses are mentioned. Though only in the first part of v. 16, where the atonement for the Holy of Holies is prescribed, are their transgressions and their sins added to the uncleannesses of the children of Israel, they, no doubt, also apply to the atonement for the other sections of the Tabernacle. They seem to qualify the uncleannesses by the addition: whether they were done deliberately or unwittingly; so that the three nouns, in spite of the conjunction 'and because of their transgressions', are not parallel synonyms, but the last two qualify the first. The defilements from a distance might have been committed by a priest, or a Levite, or a layman, or by all of them, therefore v. 17 continues, 'And there shall be no man in the tent of meeting when he goeth in to make atonement in the holy place, until he come out, and have made atonement for himself, and for his household, and for all the assembly of Israel'. And v. 33 sums up his acts of atonement, 'And he shall make atonement for the most holy place, and he shall make atonement for the tent of meeting and for the altar; and he shall make atonement for the priests and for all the people of the assembly'. The atonement first *cleanses*, וטהרו, the altar of all the uncleannesses that might have emanated from any members of the various sections of the people, and, after cleansing it, he re-hallows it, וקדשו, for sacred use. It is the same procedure as in the original consecration of the altar after the erection of the Tabernacle, Exod. 29, 36. 37, the only difference being that there the cleansing continued for seven days and is termed חִטֵּא with כפר, followed, as here, by קדשׁ which made the altar of burnt-offering most holy. Similarly in Lev. 8, 15, in the actual consecration the cleansing of the altar is described by ויחַטא, 'he purified the altar', and this is followed by 'and sanctified it, to make atonement for it', and in Ezek. 43, 20, 'Thus shalt thou purify it, וחטאת אותו, and make atonement for it'.

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[1] See Geiger, Urschrift, 470.

[2] MGWJ, 43, 1899, 200.

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[1] Smend, Lehrbuch der alttestam. Religionsgeschichte, 331.

Against the foregoing explanation several considerations might be adduced. First the fact that כפר in v. 16 is followed by the prepositions על and מן, while e.g. in Lev. 4, 26: וכפר עליו הכהן מחטאתו ונסלח לו, 'and the priest shall make atonement for him as concerning his sin, and he shall be forgiven', על refers to the person who committed the sin and for whom the priest is atoning, and מן points to the sin from which he is cleansed. Though it may be conceded that the impurity brought upon the Tabernacle by the negligence of the offender was correctly expressed by מן, the Sanctuary was not the sinner to be connected with על. Unless the use of that preposition is to be accounted for by the fact that the effect of the offence rested on the Sanctuary as the sin upon the offender, it is difficult. It is even more strange that in v. 20, 'And when he hath made an end of atoning for the holy place, and the tent of meeting, and the altar', instead of על with all three nouns את is used, while in v. 33, 'And he shall make atonement for the most holy place, and he shall make atonement for the tent of meeting and for the altar; and he shall make atonement for the priests and for all the people of the assembly', with the three parts of the Tabernacle את and with the two groups of persons על are used, clearly showing that the writer was conscious of the difference.[1] Secondly, the position in v. 16 of the words 'and because of their transgressions, even all their sins', the doubtful interpretation suggested in the commentaries, and the fact that in the cleansing of the altar in v. 19, and also in v. 16 end only impurities are mentioned, might be adduced in favour of the explanation given before. But in v. 30 the cleansing of Israel is not from uncleannesses, but from sins; and also in v. 34, after the high-priest in v. 33 atoned for the three parts of the Tabernacle and for the priests and the people, it says, 'And this shall be an everlasting statute unto you, to make atonement for the children of Israel because of all their sins once in the year', sins alone are mentioned. From this and from the wording in v. 16 it would appear that the three nouns in v. 16 are parallel synonyms, as Dillmann-Ryssel agree,[2] 'Verunreinigend sind nicht bloss die Verfehlungen gegen die Reinigkeitsgesetze, sondern auch die sittlichen Vergehungen'. Again, v. 21 orders concerning the scapegoat, 'And Aaron shall lay both his hands upon the head of the live goat, and confess over him all the iniquities of the children of Israel, and all their transgressions, even all their sins; . . (22) And the goat shall bear upon him all their iniquities unto a land which is cut off'. It would appear that these are the same sins as were committed against the Sanctuary as uncleannesses, transgressions and sins, so that iniquities would be identical with uncleannesses. In relation to the Sanctuary sins arising from an attitude of slight and contempt are defilements, but for him who commits them they are iniquities, as we found it in Lev. 20, 3 in connexion with the sacrificing of children to Molech, 'Because he hath given of his seed unto Molech, to defile My Sanctuary, and to profane My holy name'. The one idolatrous deed defiles the perpetrator, Lev. 18, 21–30, contaminates the land, Lev. 18, 25. 27. 28, defiles the Sanctuary and profanes the Name of God, Lev. 18, 21; 20, 3. Though contact with that sacrifice was not possible for any part of the Temple, just as in the cases in Num. 19, 13; Lev. 15, 31; 16, 16; Num. 5, 3; Deut. 23, 15, discussed above, we might still be inclined to think that it was a levitical impurity that acted in that defiling way even from a distance. But as no levitical uncleanness attached to that idolatrous sacrifice, and as it only was one of the several abominations of the Canaanites that defiled the perpetrator and the land without having anything to do with any of the sources of levitical defilement, there is no doubt that its impurity was of an exclusively religious nature. And even in the few cases of levitical defilement from a distance it may be doubted whether the principle underlying the grave nature of the offence is levitical, as it is identical with that enunciated in connexion with innocent blood shed, Num. 35, 34, 'And thou shalt not defile the land which ye inhabit, in the midst of which I dwell; for I the Lord dwell in the midst of the children of Israel'. The parallelism between that declaration and Num. 5, 3, does not support the view proved groundless, that blood shed defiles levitically. For nowhere else in the Hebrew Bible is the possibility even suggested of conveying levitical defilement through the open air and space of the camp or even of a small yard, as without contact it is admitted only within a tent by a human corpse, Num. 19, 14, or within a house affected on its inner walls with leprosy, Lev. 14, 46. 47. Moreover, God's permanent presence in the camp or in the land demands that they be holy, Deut. 23, 15; but bloodshed, incest, Canaanite enormities, disregard of His presence by allowing an executed criminal who, in addition, was hanged after death, to hang on the tree beyond the short while permitted, Deut. 21, 23, defiled the land, and the neglectful, provoking continuance of a person in levitical impurity in the holy camp contaminated it and the Tabernacle.

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[1] See Dillmann-Ryssel, 466.

[2] l. c. p. 579.

For in the foregoing examination of the relevant biblical passages it has been established that in Jeremiah and Ezekiel idolatry defiled the land of God, and in Leviticus all the enormities of the Canaanites defiled their country and would have the same effect, if and when practised by Israel. Idolatry and its abominations made any land of Gentiles unclean; bloodshed contaminated the land of Israel. The Canaanite enormities defiled their perpetrators, even Israelites ,whom also the worship of idols made unclean, as already Hosea emphasized in his representation of idolatry as whoredom. Guilty immoral relations defiled not only the woman, but also the man; and the re-marriage of the divorced wife after she lost her second husband by death or divorce polluted the land of Israel. Also to let the criminal who after his execution, for additional punishment, was hanged on a tree, hang over night defiled the land. Evil speech defiled the lips; grave sins against God defiled the sinner in the Prophets, but allowed him to visit the Temple. The sacrifice of children to Molech outside Jerusalem defiled the parent, the land and the Temple. The consideration of all those instances of impurity has conclusively proved that those defilements were not levitical, but moral and religious, and could not be removed by any of the ways of levitical purification. Sin is represented figuratively as filth on the body or on the clothes, and in Isaiah and Jeremiah sinners washed themselves from their sins symbolically; and as freedom from sin is termed purity, the honest and righteous man in Psalms, Proverbs and Job washed his hands from any wrong that might possibly have clung to them, and the purity of the hands denoted innocence. God cleansed Israel from its grave sins by severe visitations and purified the Israelites symbolically from their grave sins by washing and refining, or by sprinkling upon them clean water, not water levitically purifying. The method of cleansing Israel on the Day of Atonement from its sins was not levitical, and even the defilement of the Tabernacle by a levitical impurity from a distance rested on a moral and religious, and not on a levitical principle, that of sin against God.

IV

THE DEFILING FORCE OF SIN IN POST-BIBLICAL AND RABBINIC LITERATURE

1. Almost all the statements of the Palestinian scholars of the second and the following centuries, which reflect the concept of the defiling nature of sin, and many of those by earlier teachers in Judaea appear in the Rabbinic literature attached to a biblical passage. It might therefore seem that they were also originally deduced from some verse or word of the Bible by interpretation and, on account of that, would be of minor historical value and no evidence of the actual and independent existence in the schools and in the minds of the people in Palestine of the belief that sin was impure and defiled and that it needed some kind of cleansing. Consequently, it is both advisable and necessary to examine first the few definite references to the concept in the Wisdom of Sirach who stood between the latest parts of the Hebrew Bible and the beginnings of the Rabbinic schools and their activities; and to follow it up step by step in the other Apocrypha and in the Apocalypses reflecting entirely or partly Judaean teachings and thoughts, and, if possible, thereby to prove the unbroken continuity of the living concept in the literature expressing actual belief and doctrine, and even some development in the idea. Sirach 40, 29 says, 'A man that looketh unto the table of another, his life is not to be counted for a life; he will pollute his soul with another man's meats'. As the food of the wealthy friend, naturally, was not defiled levitically nor prepared of unclean animals, the pollution was not levitical, but moral, as the bread of abject dependence and self-humiliation is seasoned with the giver's grudge and contempt. Consequently, Sirach used the word pollute metaphorically. Again in 22, 13, 'Talk not much with a foolish man, and go not to one that hath

no understanding: beware of him, lest thou have trouble; and (so) thou shalt not be defiled in his onslaught (or by that which he throws out)'. Though the Greek word for defiling is difficult and has suggested various explanations, it is certain that the defilement lies in the fool's talk, and Sirach spoke of the moral effect of it as pollution emanating from the impurity of folly. So in 51, 5 he thanked God, '(And didst deliver me) out of the depth of the belly of the grave, and from an unclean tongue, and from lying words', and described lie and slander as unclean; and as the prophet in Is. 6, 5 termed himself a man unclean of lips, so here the tongue is unclean, as it pours forth sinful words from a source of moral impurity. In 21, 28, 'A whisperer defileth his own soul', the same thought is even more definite and its formulation is very instructive, for slander is not only impure in itself, but also defiles, in this instance not others, but affects the soul of its author. The sentence shows that in his instruction of adult disciples Sirach could presume that his expression, though never applied to slander in the Bible, would be understood either literally or figuratively; in either case the idea of the defiling nature of moral sin was familiar in Jerusalem among teachers about the years 180–170 B. C. E. As to the meaning of *τὴν ἑαυτοῦ ψυχήν* here and in 40, 29, which corresponds with את נפשו in the original, it is not certain whether Sirach intended it in the Rabbinic sense of 'himself', stains himself morally, or, as frequently in Proverbs, for 'his soul', in which case this would be the earliest instance of the idea of 'staining the soul' with sin, of which more will be said presently. In 12, 14 he says, 'Even so him who goeth to a sinner, *καὶ συνφυρόμενον ἐν ταῖς ἁμαρτίαις αὐτοῦ*'. As the commentators point out, *συμφύρομαι* is the LXX translation of יפרדו in Hos. 4, 14, and of היו in Ezek. 22, 6, and to those may be added Psalms of Solomon 8, 10; in all the three cases it denotes immoral mingling.[1] It is difficult to suggest the Hebrew word which

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[1] Josephus, Wars 2, 8, 10, 150 says of the Essenes that when a member of the lower grade touched one of the higher grade, the latter washed

Sirach might have used. The so-called Hebrew original text has מתגולל בעונותיו, which, no doubt, is an erroneous retranslation from one of the various versions, probably from one of the Syriac renderings; and it need hardly be pointed out that מתגולל which in 2 Sam. 20, 12; Is. 9, 4 means 'wallow in blood', does not suit the noun 'sins', as no Hebrew writer, even in Sirach's days, would have said, 'goeth to a sinner and *wallows* in his sins'. Perhaps Sirach used התערב or חנף, or a synonym of either, and his idea was that of the prophets that a grave sin polluted the sinner and those who participated in the act; he extended the defilement beyond idolatry and bloodshed to other grave transgressions.

In 1 Macc. 1, 46, in the Jewish presentation of the edict of Antiochus Epiphanes it is stated, 'And should profane the Sabbaths and the feasts, and pollute[1] the Sanctuary and them that were holy'; the pollution ordered will be caused by sacrificing unclean animals which otherwise must neither be offered up by the Jews, nor, when dead, be brought into the inner forecourt, nor handled there by the priests, nor eaten by them or any Jew, Lev. 11, 43. Similarly in 4, 43, 'And they cleansed the holy place, and bare out the stones of defilement into an unclean place . . . (45) (the altar), because the Gentiles had defiled it', the defilement was due to the unclean animals sacrificed upon the altar and upon the heathen altar erected on top of the sacred one, and probably, though not necessarily, also to the idolatrous offerings. On the other hand, in 13, 47 Simeon conquered Gazara, 'and he put them out of the city, and cleansed the houses wherein the idols were; (48) and he put all uncleanness out of it, and placed in it such men as would keep the law'; the idols are termed uncleanness, as in 2 Chron. 29, 16 and in Ezekiel.[2] Also in 13, 50, when Simeon conquered

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himself *καθάπερ ἀλλοφύλῳ συμφυρέντας*, as though he had intermixed himself with the company of a foreigner. Here it concerns levitical defilement.

[1] Cf. the expression in Psalm 79, 1.

[2] Rawlinson in Wace's Apocrypha II, 514 remarks, 'He put all un-

the citadel in Jerusalem, 'And he put them out from thence, and he cleansed the citadel from its pollutions', the idols and their altars are termed pollution, as they stained the soil of Jerusalem and the city itself, all its buildings and the Jews worshipping the Greek idols. For while 2 Chron. 36, 8 reports, 'Now the rest of the acts of Yehoyakim, and his abominations which he did', 1 Ezra 1, 40 has instead, 'But those things that are recorded of him, and of his uncleanness and impiety, are written in the chronicles of the kings'. *Ἀκαθαρσία*, it is true, is the translation of תועבה in LXX in Prov. 6, 16; 24, 9; but in our passage in 1 Ezra next to *δυσσέβεια*, and in v. 47 for 2 Chron. 36, 14, on the considerations stated before it chose the word to describe idolatry as uncleanness. Also in 8, 80, 'That the land, which ye enter into to possess as an heritage, is a land polluted with the pollutions of the strangers of the land, and they have filled it with their uncleanness', the same word translates בטמאתם in Ezra 9, 11, denoting the impurity of idols. In Tobit 3, 15 Sarah says in her prayer, 'And that I never polluted my name, nor the name of my father, in the land of my captivity', and refers thereby to her declaration in v. 14, 'Thou knowest, Lord, that I am pure from all sin (or uncleanness) with man'. There it is evident that immoral relations, termed uncleanness, pollute the good name of the person concerned, because in the Bible [1] they defile the woman herself, and then pollute the name of her father, as in Lev. 21, 9; Deut. 22, 21. And the reverse is stated in 12, 9, 'Alms doth deliver from death, and it shall purge away all sin'. Though of the first quarter of the second century, 2 Ezra 16, 77 is to be included here, 'Woe be unto them that are bound with their sins, and covered with their iniquities, like as a field is covered over with bushes'; for it appears that the author represented sin as a girdle and as a garment, as Psalm 109, 19 described

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cleanness out of it', i.e. all the traces of idolatry—altars, images, emblems, sacrificial vessels and dresses, unclean beasts for sacrifice, &c.

[1] Cf. Wisdom of Solomon 3, 13; 14, 26.

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a curse, 'Let it be unto him as the garment which he putteth on, and for the girdle wherewith he is girded continually. (18) He clothed himself also with cursing as with his raiment.' So v. 29, 'Mine adversaries shall be clothed with confusion, and shall put on their own shame as a robe; (35, 26) Let them be clothed with shame and confusion that magnify themselves against me; Job 8, 22, They that hate thee shall be clothed with shame; Ezek. 26, 16, Then all the princes of the sea shall come down from their thrones, and lay away their robes, and strip off their richly woven garments; they shall clothe themselves with trembling; they shall sit upon the ground, and shall tremble every moment, and be appalled at thee'; Psalm 132, 18; 71, 13; 89, 46, 'His enemies will I clothe with shame; but upon himself shall his crown shine'. They contrast the robe of shame or trembling with that of the glory of the king, and the contrast suggests that, as the mourner puts on the cloth of mourning, so the man reduced to a position of shame strips his ordinary garments and clothes himself with others expressing his present state, and the cause of the change of garments was put by the poets in the place of the garments. It would consistently apply also to the curse, though we find nowhere that a man affected by it clothed himself with special garments.[1] And the same would be the case of the grave sinner who would dress differently from his usual wear (see p. 235 ff.).

Of undoubtedly Judaean origin were the Psalms of Solomon, composed in 63 B.C.E., and they include a few references to defilement by sin. So 2, 10, 'And the heaven was grieved at them, and the earth abhorred them'. Ryle-James refer to קאה and חקיא, vomit out, in Lev. 18, 25. 28, which, if correct, would imply that the abominations in the mind of the author had polluted the land; but more probably שַׁקֵּץ or חַעֵב was used in the original. The inhabitants of Jerusalem were represented as unclean, detestable beings whose impurity the land of God would not stand. Vv. 7-9 explicitly state the reason, (9) 'Because they wrought evil together, to the intent that they should not hearken', so that their sinful actions constituted their abomination. 2, 3, 'Because the sons of Jerusalem defiled the holy things of the Lord, (and) polluted the gifts of God with iniquities.'[1] If the preposition *ἐν* were certain, the idea of the defiling nature of a grave sin would be evident in the same sense as in Ezekiel; but even then the author did not go beyond the corresponding biblical concept. But in his reference to the cleansing of sin by God through visitation, which, it is true, is also prophetic, the writer suggests a more definite form of that theological idea. So in 10, 1, 'Happy is the man whom the Lord remembereth with reproving, and whom He restraineth from the way of evil with strokes, that he may be cleansed from sin, that it may not be multiplied. (2) He that maketh ready his back for strokes shall be cleansed, for the Lord is good for them that endure chastening.' As Ryle-James point out and as has been discussed above (p. 171), the blessedness of affliction is already declared in Job 5, 17; Psalm 94, 12; Prov. 3, 12; but the purpose of the visitation sent by God is in the Bible nowhere defined so clearly as here: to cleanse from sin (above, p. 170 ff.). When God sees that the good man realizes His object, and recognizes His mercy and His wish to see him, as far as humanly possible, free from sin, and he accepts the chastisements as a warning against multiplying transgressions, He turns to him favourably. And if he not only does not murmur about his sufferings as undeserved, but is ever ready to receive further strokes at the hand of God, his sins are cleansed. As 'from sin' is added to the verb 'he may be cleansed' the first, but not the second time, here the biblical יְנַקֶּה seems to have been used in the original: he will be held guiltless altogether. The same is clearly expressed again in 13, 9, 'The Lord spareth his pious ones, and blotteth out their errors by His chastening'. The righteous man guards against committing deliberate sins, and his errors are removed by God's favour through afflictions; these however do not blot out such mistakes mechanically and automatically, but only if the sinner submits humbly to the chastening, repents of his faults and resolves not to repeat and multiply them.

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[1] On being informed that the school of Jamnia had imposed the ban upon him, R. Eliezer rent his garments, took off his shoes and sat down upon the ground, Baba meṣ. 59 b, exactly like a mourner.

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[1] *ἐν ἀνομίαις*, see Ryle-James. It is of special interest to find that sins without any further definition mean here immorality, as in the Rabbinic literature עברה; so also in 1, 7, 'Their sins were in secret; and I knew it not. (8) Their transgressions were greater than those of the heathen that were before them; (9) the holy things of the Lord they had utterly polluted.'

Again in 3, 7, 'There lodgeth not in the dwelling of the righteous sin upon sin. (8) The righteous maketh inquisition continually in his own house to the end that he may put away completely iniquity done by him in error; (9) he maketh atonement for that wherein he erreth unwittingly, and with fasting he afflicteth his soul. (10) And the Lord purifieth (counteth guiltless, Gray) every pious man and his house.' As the object of 'purifieth' is not sin, but the sinner, Gray sees in that verb the rendering of נקה. As far as can be seen, however, the declaration that God will regard the sinner after a sin committed in error as innocent is nowhere made in the Bible, nor in a positive sense and after the complete removal of the guilt and its source. And here the goods belonging to another man and wrongly, but unwittingly, appropriated were removed by the sinner from his house and, evidently, restored to the rightful owner, and, instead of some atoning sacrifice, the repentant sinner imposed upon himself fasts and humbled himself before God. As he has thus done all that was in his power to clear away his error which was committed unwittingly, there appears to be no reason for the assurance that God will hold him guiltless, unless that declaration assumed the meaning of forgiveness and not merely of the ignoring of those errors. In Psalm 19, 13, 'Who can discern errors? clear Thou me from hidden faults. (14) Keep back Thy servant also from presumptuous sins, that they may not have dominion over me; then shall I be faultless, and I shall be clear from great transgression', the sense appears to be that the poet prays to God to perform for his benefit two positive acts, one to clear him from sins which he had committed not only unwittingly, but, unlike those, of which he has never even become conscious, but which, known to God, may bring punishment upon him. As in Psalm 51, 3, 'Blot out my transgressions. (4) Wash me thoroughly from mine iniquity, and cleanse me from my sin. (11) Hide Thy face from my sins, and blot out all mine iniquities', so נַקה means 'cleanse' from sin, and 'declare free' from sin. So also in Job 9, 28, 'I am afraid of all my pains, I know that Thou wilt not hold me guiltless. (29) I shall be condemned.' The last word shows that תנקני is the opposite of condemnation, an actual declaration of innocence; and in the case of deliberate sins, when such a declaration is impossible, it is a clearing away of those sins and granting forgiveness. And also in Job 10, 14, 'If I sin, then Thou markest me, and Thou wilt not acquit me from mine iniquity', where Job admits that he sinned: he cannot be regarded as guiltless, but God could cleanse him from the sins and grant him forgiveness.[1] In Assumptio Mosis 5, 3 the impurity of idolatry is mentioned, 'And they will defile with pollutions the house of their worship, and they will go a whoring after strange gods'; the ideas are borrowed from Ezekiel, but it seems impossible to trace the source of the quotation. And in 8, 4, 'And others amongst them will be punished by tortures and fire and sword, and they will be forced to bear in public their idols, (which are as) polluted as are the (shrines) that contain them', the idols of the Gentiles and their temples are declared polluted, and the adjective or participle in the original language was not used figuratively. In 7, 9 it is said of the Sadducees, 'Et manus eorum et mentes immunda tractantes, et os eorum loquetur ingentia, et superdicent: (10) Noli (tu me) tangere, ne inquines me loco in quo versor', 'And though their hands and their minds touch unclean things, yet their mouth will speak great things, and they will say furthermore, (10) Do not touch me, lest thou shouldst pollute me in the place where I stand'. If the difficult 'mentes' is authentic, and not a mistake, as Hilgenfeld suggests for his emendation to 'dentes', 'immunda' is used in two different senses, as with reference to the hands it points to things defiling, perhaps levitically, while the minds could only be affected by *moral* impurity. But considering that Lev. 11, 43 and 20, 25 have, 'Make not detestable your souls with any swarming things, אל תשקצו את נפשׁותיכם, (44) Neither shall ye defile your souls with any manner of swarming thing, ולא תטמאו את נפשׁותיכם', and the direct objects of the two verbs prohibiting to eat unclean animals are the souls, it is possible that the author imitated that idea and said, 'their hands and their souls touch unclean things', though 'touch' seems hardly to be the right word to apply to both subjects.[1] But even if he followed the biblical passage, he might have held that levitically unclean and prohibited food acted upon the soul morally and defiled it by the sin involved.[2]

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[1] In 1 Reg. 2, 8 David before his death instructed his son Solomon concerning Shime'i, the son of Gera, 'I swore to him by the Lord, saying, I will not put thee to death with the sword. (9) Now therefore hold him not guiltless, for thou art a wise man.' As David himself had not held him guiltless, but, on the contrary, declared him guilty without punishing him, Solomon will continue to hold him guilty and punish him. Consequently, אל תנקהו means: clear him not from that sin by forgiving him.

2. As to the other Apocalypses, though neither the book of Enoch, nor Jubilees, nor the Testaments appear to be

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[1] Of a similar character is Matth. 15, 11, 'Not that which goeth into the mouth defileth a man; but that which proceedeth out of the mouth, this defileth a man. (23, 25) For ye clean the outside of the cup and of the platter, but within they are full of extortion and excess. (26) Thou blind Pharisee, clean first that which is within the cup and platter, that the outside thereof may become clean also.' Cf. Mc. 7, 15. 21-23; Luke 11, 39-41. This play of two essentially different meanings of clean and unclean reflects, to my feeling, non-Palestinian thinking.

[2] A strange application of the word 'unclean' occurs in Assump. Mosis 9, 2, 'Behold, a second ruthless, unclean visitation has come upon the people'; perhaps it read in the original text: a ruthless visitation of an unclean (man); or: a visitation of a ruthless, unclean (man).

Palestinian-Jewish products in the strict sense of the word, the clear evidence of the influence of Palestinian-Jewish thought upon all of them necessitates a fuller reference to the presence in those books of the idea of sin as a defiling agent. So in Enoch 10, 7, 'And (Enoch will) heal the earth which the angels have defiled, and proclaim the healing of the earth. (8) And the whole earth has been defiled through the teaching of the works of Azāzēl: to him ascribe all the sin. (19, 1) Here will stand the angels who have connected themselves with women, and their spirits assuming many different forms have defiled mankind, and will lead them astray into sacrificing to demons as gods. (10, 20) And cleanse thou the earth from all oppression, and from all unrighteousness, and from all sin, and from all godlessness, and from all uncleanness which is wrought upon the earth. (91,7) And then when unrighteousness and sin and blasphemy and violence in all kinds of deeds will increase, and apostasy and transgression and uncleanness increase, a great chastisement from heaven will come upon them all.' Not only is the defilement of the earth and of men by immorality found here and uncleanness the term for some grave sin, probably immorality, but those concepts are also extended to other grave sins, and the cleansing of the earth refers even to oppression. Also the unclean lips of Is. 6, 5 have a parallel in Enoch 5, 4, 'And the law of the Lord have ye not fulfilled, but have transgressed it, and have slanderously spoken proud and hard words with your impure mouths against His greatness'; and it is to be noted that the uncleanness of the mouth manifests itself in slander and insolent speech. More general is the use of, and more definite, the idea of uncleanness for idolatry and immorality in Jubilees. So in 11, 4 are mentioned transgression and uncleanness and unclean simulacra, and again for idolatry in 20, 7, 'And walk not after their idols and after their uncleannesses; 21, 21, I see, my son, that all the works of the children of man are sin and wickedness, and all their deeds are uncleanness and an abomination and a pollution.

(23) Turn away from all their deeds and all their uncleanness. (22, 16) For their works are unclean, and all their ways are a pollution and an abomination and uncleanness. (23, 17) For all have done evil, and every mouth speaketh iniquity, and all their works are an uncleanness and an abomination, and all their ways are pollution, uncleanness and destruction. (21) And they will defile the Holy of Holies with their uncleanness and the corruption of their pollution.[1] (1, 9) And they will walk after the Gentiles, and after their uncleanness, and after their shame, and will serve their gods. (11, 16) All went astray after graven images and after uncleanness.' Frequently in association with 'error' the word uncleanness has the meaning of idolatry. (35, 14) 'Esau hath forsaken the God of Abraham and gone after his wives and after their uncleanness and after their error, he and his children. (9, 15) Till the day of judgment, on which the Lord God shall judge them with a sword and with fire, for all the unclean wickedness of their errors, wherewith they have filled the earth with transgression and uncleanness and fornication and sin.[2] (11, 16) And the child (Abraham) began to understand the errors of the earth that all went astray after graven images and after uncleanness. (17) And he began to pray to the Creator of all things that He might save him from the errors of the children of men, and that his portion should not fall into error after uncleanness and vileness. (22, 19) May God remove thee from their uncleanness and from all their error.' Other synonyms employed in the frequent denunciations unmistakably show that uncleanness pointed to low immorality either, as above, in connexion with idolatry, or in private life, especially incest, (30, 8) 'And let not an adulteress and no uncleanness be found in Israel.[3] (33, 10)

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[1] Note the imitation of Lev. 20, 3, and the substitution of the Holy of Holies for the Sanctuary.

[2] The unusual combination of the adjective 'unclean' with 'wickedness' should be noted; if the writer meant idolatry or immorality, it is in agreement with the trend of the whole verse.

[3] So also in 30, 15. 22.

A man should not lie with his father's wife, . . . for this is unclean, . . . for they have wrought uncleanness on the earth. (11) And there shall be nothing unclean before our God in the nation. (13) It is unclean, and there is no atonement . . . (14) For he is abominable and unclean. (19) For an uncleanness, and an abomination, and a contamination, and a pollution are all they. (20) And there shall no such uncleanness appear in the midst of the holy nation. (41, 25) Every one who lieth with his mother-in-law, let them burn him with fire that he may burn therein, for there is uncleanness and pollution upon them. (26) And do thou command the children of Israel that there be no uncleanness amongst them, for every one who lieth with his daughter-in-law or with his mother-in-law hath wrought uncleanness. (50, 5) And the jubilees will pass by, until Israel is cleansed from all guilt of fornication and uncleanness, and pollution, and sin, and error, and dwelleth with confidence in all the land; and the land will be clean from that time for evermore. (7, 20) And to guard their souls from fornication and uncleanness and all iniquity. (21) Owing to the fornication wherein the Watchers . . . went a whoring, . . and they made the beginning of uncleanness. (16, 5) And that they (Sodom, Gomorrah and Ṣeboyim) defile themselves and commit fornication in their flesh, and work uncleanness on the earth. (6) And, in like manner, God will execute judgment on the places where they have done according to the uncleanness of the Sodomites. (20, 3) That we should keep ourselves from all fornication and uncleanness. (5) And he told them of the judgment of the giants, and the judgment of the Sodomites, how they had been judged on account of their wickedness, and had died on account of their fornication, and uncleanness and mutual corruption through fornication. And guard ourselves from all fornication and uncleanness, and from all pollution of sin.' Lev. 18; Deut. 24, 4; Hos. 5, 3, and Ezekiel's vocabulary of strong and harsh terms suggested to the author of Jubilees the description of all forms of immorality as uncleanness; and, apart from his extension and generalization and his heaping of synonyms, he does not mark any special advance in the development of the basic concept of sin as impurity.

Again, the man free from sin is termed pure in Enoch 69, 11, 'For man was created exactly like the angels to the intent that he should continue righteous and pure'; here, as in the biblical passages discussed above (p. 237 ff.), pure and righteous are synonyms. The removal of sin is described as cleansing in Enoch 10, 20, quoted above (p. 279), and v. 22, 'And the earth will be cleansed from all corruption and from all sin'. And in Jub. 7, 33, in the rendering of the expiation of blood by cleansing in Num. 35, 33, it says, 'For the earth will not be clean from the blood which hath been shed upon it, for (only) through the blood of him that shed it will the earth be purified throughout all its generations; (21, 19) And the earth cannot be cleansed from the blood of man'. Very instructive is the blessing of Abraham given to Jacob, (22, 14) 'And may He cleanse thee (Jacob) from all unrighteousness and impurity, that thou mayest be forgiven all (thy) transgressions, and (thy) sins of ignorance'. If the wording of the statement has passed unchanged through the several translations, God's pardon of both kinds of sin, deliberate and unintentional, depends on His previous cleansing of Jacob from transgressions against the neighbour and from those against morality. Does that mean that the latter sins are so grave that, unless first removed by God's cleansing, sins of all other kind could not receive forgiveness, as in Jer. 33, 8? Or would it be more natural to assume that, as in the continued blessing in v. 19, 'May the Most High God help thee and the God of heaven bless thee and remove thee from their uncleanness and from all their error', God would keep Jacob away from such pollution, and (16) he himself would guard against such uncleanness, so that 'cleanse' would mean 'keep clean from'? Did the author think here of Psalm 19, 13. 14, and did he interpret מנסתרות נקני as 'keep me clean from sins hidden from me'? Again in 34, 19 it states, 'And this day (of Atonement) hath been ordained that they should grieve thereon for their sins, and for all their transgressions, and for all their errors, so that they might cleanse themselves on that day once a year'. If correctly preserved and exactly translated, the words interpret לטהר אתכם in Lev. 16, 30, or לפני ה׳ תטהרו in Lev. 16, 30 as 'cleanse yourselves, תִּטַּהֲרוּ, though the author does not indicate how the cleansing should be effected.[1] In 50, 5, quoted before, 'Until Israel is cleansed from all guilt of fornication, and uncleanness, and pollution, and sin, and error, and . . . the land will be clean from that time for evermore', the people and the land will be purged of all manner of grave sin, as in Ezek. 36, 25–29; 37, 23. On the ideas of Ezek. 36, 26; Psalm 51, 12 is based 1, 23, 'And I shall create in them a holy spirit, and I shall cleanse them so that they shall not turn away from Me'. In 4, 26, 'Through it (Mount Zion) will the earth be sanctified from all (its) guilt and its uncleanness throughout the generations of the world', 'sanctified' stands for 'cleansed', as they appear as synonyms in Lev. 16, 19 and Is. 66, 17.[2] And the 'holy' spirit which he mentions again, (1, 21) 'Create in them a clean heart and a holy spirit, and let them not be ensnared in their sins from henceforth until eternity', is derived from Psalm 51, 12, 'Create me a clean heart, O God; and renew a steadfast spirit within me. (13) Cast me not away from Thy presence; and take not Thy holy spirit from me.'

In the Testaments of the XII Patriarchs the ideas of sin are very similar. So in Testam. Levi 15, 1, 'Therefore the Temple, which the Lord shall choose, shall be laid waste through your uncleanness, and ye shall be captives throughout all nations. (9, 9) Beware of the spirit of fornication; for this shall continue and shall by thy seed pollute the holy place.' The immorality of the priests defiles the Temple, as the sacrificing of children to Molech, Lev. 20, 3, and idolatry in Ezekiel had the same effect. In Test. Simeon 2, 13, 'That I might hold aloof from all pollution and envy [and from all folly]', the first noun may refer to immorality, or perhaps to some other grave sin. In Test. Judah 14, 3, 'For if a man drink wine to drunkenness, it disturbeth the mind with filthy thoughts [leading to fornication], and heateth the body to carnal union', 'filth' denotes immorality as in Is. 4, 4. Similarly in Test. Judah 14, 8, 'But if he go beyond this limit, the spirit of deceit attacketh his mind, and it maketh the drunkard to talk filthily'. Very instructive is the contrast in Test. Joseph 4, 6, 'And I said unto her, The Lord willeth not that those that reverence Him should be in uncleanness, nor doth He take pleasure in them that commit adultery, but in those that approach Him with a pure heart and undefiled lips'.[1] Uncleanness is immorality, and contrasted therewith are the pure heart that conceives no thought of impurity, and lips that do not utter words of immorality, as in Is. 6, 5 sinful words defile the lips. Specially informative is Test. Reuben 6, 1, 'Beware, therefore, of fornication, and if you wish to be pure in mind, guard your senses from every woman'; and Test. Benj. 8, 2, 'He that hath a pure mind in love, looketh not after a woman with a view to fornication; for he hath no defilement in his heart, because the spirit of God resteth on him', as the impurity in the heart means immoral thoughts and is the reverse of the biblical idea of the pure heart or the pure of heart. In Test. Asher 2, 7, 'He defileth the soul, and maketh gay the body; he killeth many, and pitieth a few; (4, 4) Another desireth not to see a good day with them that riot, lest he defile his body and pollute his soul; and in Test. Issachar 4, 4, For he looketh not on the beauty of women, lest he should pollute his mind with corruption', it states the defilement of the soul explicitly. The formulation of the mind's defilement by sin is more definite than in Sirach, as the soul is distinguished from the body; but it may be questioned whether that distinction in those terms was an early Jewish-Palestinian concept that merely put 'body' for man in Gen. 2, 7. The soul stands for the biblical heart, and its defilement corresponds with Jer. 4, 14, 'O Jerusalem, wash thy heart from wickedness'. In Test. Levi 14, 2, 'For our father Israel is pure from the transgressions of the chief priests', it means innocent. In Test. Benj. 6, 7, 'And he cleanseth his mind that he be not condemned by men as well as by God; (8, 3) For as the sun is not defiled by shining on dung and mire, . . so also the pure mind, though encompassed by the defilements of earth, rather cleanseth[1] (them) and is not itself defiled', the cleansing of the mind is again that of the biblical heart, and the clean and cleansed heart is a familiar idea in the Bible and the Psalms of Solomon.

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[1] The fasting prescribed on the Day of Atonement is explained as an expression of grieving at sins, cf. 1 Reg. 21, 27 and below, p. 369, 4.

[2] About R. Meir's statement in Berakh. 17a see below, p. 356 ff.

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[1] Cf. also Test. Benj. 3, 8 in version A.

In the Jewish-Hellenistic Epistle of Aristeas, 139, it is stated, 'The lawgiver . . . fenced us about with impregnable palisades and with walls of iron, to the intent that we should in no way have dealings with any of the other nations; pure in body and mind, released from vain ideas, reverencing the One Almighty God above the entire creation. (152) For most other men defile themselves by promiscuous unions; . . (166) And therefore the like habit of men is unclean; that is to say, whenever they have embodied in speech the things which they have received through the ear and involved others in ills, they are guilty of gross uncleanness, and are themselves utterly tainted with the pollution of their impiety. (234) To honour God, and that not with gifts or sacrifices, but with purity in the soul.' The writer refers to a pure body and a pure mind and the purity of the heart, to unclean habit, to gross moral uncleanness, defilement by gross immorality and the pollution of impiety; in these ideas he goes far beyond anything similar in the Bible, but they are, at the same time, closely related to the range of like expressions in Enoch and Jubilees. While some of the prophets speak of grave sins as a defilement of man in general, Psalms, Proverbs and Job distinguish between the purity of the heart and that of the hands, and explicitly demand both. The idea of the tainting of the soul by sins is referred to by Plato, e.g. in Phaed. 81 b: *μεμιασμένη ψυχὴ καὶ ἀκάθαρτος*; Republ. X, 621 c: *τὴν ψυχὴν μιανθησόμεθα*,[1] and in the Orphic teaching.[2] In his combination of Platonic and Stoic ideas Philo also refers frequently to the tainting of the soul by sin, e.g. De spec. leg. III, 86. 89, M. II, 314, 'A man who planned a murder . . . he also has defiled, though not his hands, his soul. (89) Or should the admission into the Sanctuary perhaps be forbidden to innocent persons before they have washed and purified themselves with the customary means of sprinkling, while those who are affected with indelible stains, and whose marks of shame no time can blot out, be permitted to enter the holy place, and stay therein?' In Deus immut. 2, 8, M. I, 274, 'If we may enter the Temple only after the purification of the body, how can we venture to approach God, the most pure, with an unpurified soul?'[3] Specially instructive is another statement of his in De spec. leg. I, 259, M. II, 251 about the preparations of the individual Jew for bringing a sacrifice. 'The law prescribes purification for the body and the soul; how is now the purification of the soul effected? Thou shalt purify thyself from thy mistakes and from the marks of infamy which thou hast imprinted on thyself throughout thy whole life either by unintended accidents or by free intention . . It is done by the sacrifice . . . accompanied by self-examination and by the improvement of the actions.'[1] In Josephus, though he was influenced by Greek thought, I am unable to find a clear, indisputable reference to the staining of the soul by sin. Brüne[2] noted several, Antiquit. 10, 10, 2, 194, Daniel and his friends who refused to eat of the food of the king, 'had their souls in some measure more pure, and so fitter for learning, and had their bodies in better tune for hard labour'. But here, as in the Epistle of Aristeas, unclean food, and not sins, affected the soul, Lev. 11, 43. 44. In Antiquit. 9, 13, 1, 262, Josephus makes king Ḥezekiah exhort the assembled priests, Levites and Israelites to drop the godlessness of idolatry introduced by his father Aḥaz, and to cleanse themselves, *καθᾶραι ἑαυτοὺς ἐκ τῶν προτέρων μιασμάτων*, from the old defilements. But that is the literal rendering of 2 Chron. 29, 5, 'Now sanctify yourselves, and sanctify the house of the Lord, the God of your fathers, and carry forth the filthiness, נדה, out of the holy place. (29, 16) And the priests went in unto the inner part of the house of the Lord, to cleanse it, and brought out all the uncleanness that they found in the Temple of the Lord into the court of the house of the Lord. And the Levites took it, to carry it abroad to the brook Kidron.' He reports in Antiquit. 9, 6, 6, 137. 138, in connexion with the destruction of the temple of Ba'al in Samaria by Jehu a similar cleansing. Of his several references in general terms to the *μίασμα* of sin Antiquit. 5, 1, 14, 42 is the most interesting, as he says that 'Achan's theft of consecrated things brought into Joshua's host pollution from which he is asked by God to purify it. Though he derived that from Josh. 7, 12, 'because they are become accursed', the idea that the stolen devoted things were a pollution is not explicitly stated in the Bible. In Wars 2, 17, 10, 455 he says that by the murder of the Roman garrison on the Sabbath Jerusalem was stained with crime; but it should be noted that in neither case was an individual soul affected by the stain of sin. A strange idea was expressed by king Archelaos of Cappadocia in Wars 1, 25, 1, 500, when he is alleged to have said to king Herod, 'I will do the same also to my daughter who hath such a fine husband: for although she be not a partner in the plot, yet, by being the wife of such a creature, she is polluted'; so by living with the criminal as his wife she is affected by the crime which, though he does not say so clearly, would have polluted.[1] Only in the alleged speech of Titus to his soldiers before Jerusalem, Wars 6, 1, 5, 46–48, is that idea unmistakably voiced. (48) 'While upon those souls that wear away in and with their distempered bodies, . . . notwithstanding they be clean from all spots and defilements of this world'; but the whole statement is so far from agreement with Josephus's views of the soul's existence after man's death, that it seems to have been literally taken over from some Greek or Roman writer.[2]

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[1] As Charles points out, the Greek has 'buildeth up', but the simile in the context demands 'driveth away or cleanseth'; יזכה suggested by him is unsuitable.

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[1] Wisdom of Solomon 14, 26: *ψυχῶν μιασμός*, and Grimm, Buch der Weisheit, 252, *on that verse.*

[2] Farnell, Greek Hero Cults, Oxford, 1921, 392, 'Lucian in his other treatise on the after life . . ., conceives, as Plato did, that every sin we commit in the body imprints a stain on our souls, which will be revealed before the tribunal of Rhadamanthys'. See also Loisy, Essai historique sur le sacrifice, 1920, chap. VIII, 307–18; 320–23.

[3] See also Deus immut. 19, 89, M. I, 286.

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[1] Cf. also Tennant, The sources of the doctrines of the Fall and Original sin, 1903, 131-142.

[2] Flavius Josephus, 1913, 90.

3. Of the Rabbinic conception of sin as pollution the earliest evidence and, at the same time, a very instructive illustration of it is the undoubtedly old Baraitha of Temple times about worthy and unworthy high-priests,[3] 'The

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[1] Brüne, l. c. 88, bottom, and Wars 2, 13, 4, 258.

[2] Cf. also Pseudo-Phokylides, lines 31–4, 'Also the killing of the enemy pollutes the hand'; further the biblical Antiquities of (Pseudo-) Philo, ed. M. J. James, 1917, III, 10, 82: After the resurrection of the dead 'none that hath been justified in God shall be defiled'. Epistle of James 3, 6, 'And the tongue is a fire, a world of iniquity: so is the tongue among our members, that it defileth the whole body, and setteth on fire the course of nature; and it is set on fire of hell'; see the commentaries. Pseudo-Clementine Homilies 8, 23; Recognit. 4, 23 of idolatrous meals: Quae autem animam simul et corpus polluunt, ista sunt participare daemonum mensae; REJ. 46, 1903, 90. In 3 Macc. 2, 17, 'Punish us not by the impurity of these [men], neither chastise us by [their] wickedness'. Cf. Jn. 13, 10. 11.

[3] Pesaḥ. 57 a: תנו רבנן ארבעה צווחות צווחה עזרה, ראשונה צאו מכאן בני עלי שטימאו היכל ה׳, ועוד צווחה צא מיכן יששכר איש כפר ברקאי שמכבד את עצמו ומחלל קדשי שמים, ועוד צווחה עזרה שאו שערים ראשיכם ויכנס ישמעאל בן פיאבי תלמידו של פנחס וישמש בכהונה גדולה, ועוד צווחה עזרה שאו שערים ראשיכם ויכנס יוחנן בן נדבאי תלמידו של פינקאי

inner forecourt of the Temple called out on four occasions; on the first it called out, Go ye out hence, sons of 'Eli, who have defiled the Temple of the Lord!' As our only information concerning the offensive actions of the sons of 'Eli is contained in 1 Sam. 2, their defilement of the Temple refers either to their 'lying with the women who did service at the door of the tent of meeting', 2, 22, or their contemptuous treatment of the sacrifices, 2, 12–17. 29. R. Yoḥanan b. Thortha,[1] before the year 135,[2] declared that Shilōh was destroyed on account of two sins committed there, grave immorality and contemptuous treatment of the sacrifices. The defilement of the היכל of God, of the inner part of the Temple, was obviously not meant in a physical sense, as the women could not have been brought in there, but morally;[3] just as the contemptuous treatment of the sacrifices for which alone the unnamed prophet in 2, 27–36 seems to have denounced the priests so strongly, as again God's message to Samuel in 3, 13, can only be understood as a moral pollution of the Sanctuary. Of the two reasons

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וימלא כריסו מקדשי שמים, אמרו עליו על יוחנן בן נדבאי שהיה אוכל שלש מאות עגלים. . . In Yer. Yoma I, 39 a, 67; Yer. Sukkah IV, 54 d, 32 only a part is quoted, the first cry: צווחה עליהן העזרה צאו מיכן בני עלי טימאתם בית אלהינו.

[1] Baraitha Yoma 9 a. b: אמר רבי יוחנן בן תורתא מפני מה חרבה שילה מפני שהיו בה שני דברים גילוי עריות ובזיון קדשים, גילוי עריות דכתיב ועלי זקן מאד ושמע את כל אשר יעשון בניו לכל ישראל ואת אשר ישכבון את הנשים הצובאות פתח אהל מועד, בזיון קדשים דכתיב גם בטרם יקטירון את החלב. . ., in Tos. Menaḥ. 13, 22 only מפני בזיון קדשים שבתוכה; in Yer. Yoma I, 38 c, 58: מבזים את המועדות ומחללין את הקדשים. The first reason is very strange, and seems to have been brought in erroneously from the statement of R. Eleazar of Modim in Abōth 3, 11; Bacher, Tannaiten, I, 190, 2.

[2] Yer. Ta'an. IV, 68 d, 50.

[3] Samuel Edels points out that, as the immorality with the women had been explained away by the Rabbis in Shabb. 55 b, no explanation of the charge of defilement is available, and he suggests a rather forced interpretation of 'defiled'. But, as the two Baraithas clearly show, the teachers of the first and the second centuries took the charges against the sons of 'Eli literally. Cf. R. Yonathan in Sifré Num. 18, 1, 116, 35 b ff.

immorality seems to fit the verb טימאו more satisfactorily, as also Testam. Levi 9, 9 has, 'Beware of the spirit of fornication; for this shall continue and shall by thy seed pollute the holy place'; it agrees with the Baraitha on the sons of 'Eli also on the striking point that actions of the priests done outside the Temple defile the Sanctuary. It is further supported by the continued use of the verb טמא in the first century in the biblical connotation of defiling a woman by immoral intercourse, as is evident from a statement of two scholars of Temple times.[1] 'R. Yosé the priest and R. Zekharyah, the son of a butcher, testified (in Jamnia before the scholars) about a girl who had been given as a pledge to a man in Ashkalon and whom, on account of that, the members of her family excluded (as tainted), though witnesses produced by her testified that she had not been with any man in private nor had been defiled'. The last two terms are taken from Num. 5, 13, from the chapter dealing with the married woman suspected of adultery; and טמא was used again in the warning addressed, according to the old report in Sotah 1, 5, by the high court in Jerusalem to such a woman before she was subjected to the ordeal of the bitter waters, before R. Yoḥanan b. Zakkai abolished that ordeal.[2] And so also in an old, though so far historically only partly intelligible report,[3] 'At that time the men of Urḥamu sent and laid siege to Jerusalem, and defiled all the women who were therein'. In an extended sense it was applied to the family tainted through intermarriage with impure elements, as R. Joshua said, 'I have a tradition from R. Yoḥanan b. Zakkai who had received it from several, successive generations of teachers, that Elijah will not come to declare families impure or pure, nor to exclude or to admit families generally, but to exclude those individuals that had been admitted through force, and to admit those that had been excluded through force'.[1] Those technical terms seem to have become obsolete after the destruction of the second Temple, and their meaning soon to have been forgotten, as is evident from the account on Baraitha Kethub. 28 b, 'A boy, when grown up, is believed, when he says, My father told me that this family was pure and that family impure'. In the Babylonian Talmud the question is asked how those adjectives could have been applied to families, and the statement is emended to read: this family is fit and that family is disqualified.[2] All these applications of the word 'impure, defiled' support the view that the sons of 'Eli in the Baraitha defiled the Temple by their immoral conduct. But it must be admitted that there is a serious difficulty in the reference of the statement regarding the sons of 'Eli in the Baraitha to the biblical sons of 'Eli. For the introduction of the Baraitha about the four calls of the inner forecourt of the Temple prepares us for a list of calls proclaimed in one and the same Temple and in one period, most probably during the last years of the second Temple, as in fact the last three deal with that time. That would suggest that the sons of 'Eli were some noble priests, probably brothers, of a character similar to that of 'Eli's sons, and lived in the same late period;[3] of their actions, most probably of their immoral conduct, the contemporaries said that they defiled the Sanctuary proper where those priests officiated. In any case, the charge unmistakably shows that the sin of their unpriestly conduct, committed in their private life, defiled the Temple; so that the author of the Baraitha and the school to which he belonged before the year 70, were familiar with the concept of sin as a defiling impurity.

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[1] 'Eduy. 8, 2: העיד רבי יוסי הכהן ורבי זכריה בן הקצב על תינוקת שהורהנה באשקלון ורחקוה בני משפחתה ועדיה מעידין אותה שלא נסתרה ושלא נטמאה . . .

[2] Baraitha Sotah 47 a bottom.

[3] Aggadath Cantic. 8, 14, ed. Schechter, p. 47, line 1393: אותה שעה שלחו אנשי אורחמו והושיבו קסטרא על ירושלם והיו מטמאין כל הנשים שהיו בתוכה; cf. Therum. 8, 12 and 2 Sam. 11, 4.

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[1] 'Eduy. 8, 7; Tos. 3, 4: שאין אליהו בא לטמא ולטהר לרחק ולקרב אלא לרחק המקורבין בזרוע ולקרב המרוחקין בזרוע.

[2] Cf. Sifra Lev. 9, 24, 44 d ff. of Nadab and Abihu: 'You have brought in before Me unclean fire, I shall burn you in a clean fire'.

[3] So already Schorr in החלוץ IX, 1, 1873, 70.

After the year 70 we find in 2 Ezra 1, 26, 'For ye have defiled your hands with blood, and your feet are swift to commit manslaughter', which, if it is not the translation of נגאלו בדם in Is. 59, 3, indicates that blood shed defiled morally (see p. 218). In 15, 6, 'For wickedness hath exceedingly polluted the whole earth, and their hurtful works are fulfilled', either abstract wickedness, or, more probably, its concrete manifestations in evil deeds contaminated the earth; consequently other sins, besides those enumerated in Lev. 18, 24. 25, defiled the land. Similarly in Apoc. Baruch 44, 9, 'Nor will there be any remembrance of the present time, which is defiled with evils', the generation of the writer, that is, his closer contemporaries, human beings were stained with evil actions. When, therefore, teachers between the years 90 and 135 in Judaea express similar thoughts, it must not be supposed that they were merely derived by interpretation from biblical passages which refer to such ideas. So R. Ishmael[1] says, 'As bloodshed which pollutes the land and causes God's presence to withdraw[2] displaces the Sabbath (for self-defence), how much more does the saving of life set aside the Sabbath.[3] In another version of the same statement[1] of R. Ishmael the conclusion reads differently, 'As in the case of idolatry which defiles the land, profanes the Name of God and causes His presence to withdraw, we set aside the doubt, how much more is the doubt to be set aside, when life is to be saved'. R. Ishmael argues from idolatry, and we learn incidentally that in his view idolatry, just as bloodshed, defiles the land.[2] As he takes that for granted and no teacher contradicts it, it would seem that it was accepted by his fellow-scholars, as though it was explicitly stated in the Bible or had directly been deduced from a biblical passage, or was established by tradition. For he himself derived the other part of his statement that idolatry profaned the Name of God,[3] from Lev. 18, 5, 'No Jew, even when threatened with death, must worship an idol in public, for it is a profanation of God's Name, and it says, Lev. 22, 32, And ye shall not profane My holy name'.[4] As the worship of Molech by the sacrifice of children defiled the land, Lev. 18, 21 ff., R. Ishmael or his sources may have extended that effect to all forms of idolatry. In another anonymous Baraitha of a date not later than the second century[1] it is stated, 'And thou shalt not cause the land to sin, Deut. 24, 4, As he who thus takes back his divorced wife defiles the land[2] and causes God's presence to withdraw, how much more so in the cases of idolatry, immorality and bloodshed'. And again,[3] 'That thou defile not thy land, Deut. 21, 23, As they who delayed the burial of the executed and afterwards hanged criminal defile the land and cause God's presence to withdraw, how much more so in the cases of idolatry, immorality and bloodshed'. The three cardinal sins which, beside others explicitly included in the Bible among those which defile the country, pollute the land; and they also form a group in the account of R. Yoḥanan b. Thorthá, R. Ishmael's contemporary, of the sins that caused the destruction of the first Temple,[4] and each is proved by teachers of the second century to have one or the other of the effects stated.[5] So immorality[6] as well as idolatry are proved from various biblical passages to cause the withdrawal of God's presence.[1] To these statements which clearly demonstrate the Rabbinic idea of the defiling force of sin, may be added Apoc. Ezra 7, 68,[2] 'For all the earth-born are defiled with iniquities, full of sins, laden with offences', where sins defile their authors. Also Apoc. Baruch 60, 1, 'The works which the Amorites wrought, and the spells of their incantations which they wrought, and the wickedness of their mysteries, and the mingling of their pollution. (2) But even Israel was then polluted by sins in the days of the judges.' If the translation of the original language of the book was exact, the list of the sins of the Amorites points to a country where mysteries were practised, as the same is clear also for the Book of Wisdom from 14, 15 ff.; in the remaining part of the list the rolls of the superstitious practices in Lev. 18 and Deut. 18, 9–12 are included. In 82, 7 it is stated of the heathens, 'And we meditate on the beauty of their gracefulness, though they have to do with pollutions, but as grass that withers they fade away. (21, 19) How long will the time of mortals be prospered, and until what time will those who transgress in the world be polluted with much wickedness?' Not only the Gentiles, but also the Israelites polluted themselves with idolatry; but also other sins, described by the general term of wickedness, defile the heathens.

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[1] Mekhil. Exod. 31, 13, 103 b; Mekhil. R. Simeon Exod. 31, 13, 160: והרי דברים קל וחומר ומה שפיכות דמים שמטמאה את הארץ ומסלקת את השכינה הרי היא דוחה שבת קל וחומר לפיקות נפש שדוחה את השבת. Cf. the wording in Mekhil. Exod. 22, 1, 89 a with Friedmann's note 4; Baraitha Yoma 85 a bottom; Yer. Synh. VIII, 26 c, 14. The same idea is stated anonymously in Sifré Num. 35, 34, 161. 62 b: ולא תטמא את הארץ אשר אתם יושבים בה, מגיד ששפיכת דמים מטמאה את הארץ ומסלקת את השכינה, ומפני שפיכות דמים חרב בית המקדש, 'And thou shalt not defile the land which ye inhabit', teaches that bloodshed defiles the land and causes God's presence to withdraw, and on account of bloodshed the Temple was destroyed; cf. R. Eleazar b. Yehudah in note 2.

[2] In Baraitha Shabb. 33 a R. Eleazar b. Yehudah of Bir-Thotha, a contemporary of R. Ishmael says, Through the sin of bloodshed the Sanctuary was destroyed and God's presence withdrawn, Num. 35, 33. 34.

[3] In Mekhil. Exod. 21, 28, 86 a; Midr. Tann. 21, 4 R. Yiṣḥak, a member of R. Ishmael's school, termed the goring ox which killed a person and had to be stoned, bloodshed that defiled the land and caused God's presence to withdraw.

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[1] Yer. Synhedr. VIII, 26 c, 14: מיכן את דן לפיקוח נפש לומר מה עבודה זרה מיוחדת שהיא מטמאה את הארץ ומחללת את השם ומסלקת את השכינה ודוחין בה את הספק כל שכן לפיקוח נפש שידחה את הספק.

[2] In Mekhil. Deut. 12, 29 in J.Q.R. 16, 1904, 451; Midr. Tannaim, p. 61: לפי דרכינו למדנו שרגלי ארץ ישראל מטהרות ארץ העמים, 'Incidentally we learn from the verse that the feet of the Israelites cleanse the land of the Gentiles'. Canaan is defiled by the idols of its inhabitants; as the Israelites conquer the land and destroy all the figures and altars, their progress cleanses the country from the impurity caused by the idols. The word ארץ must be deleted. Cf. Sifré zuta Num. 6, 5, 36.

[3] Sifra Lev. 18, 5, 86 b; Baraitha Synh. 74 a: היה רבי ישמעאל אומר מנין אתה אומר שאם אמרו לו לאדם בינו לבין עצמו עבוד עבודה זרה ואל תהרג יעבור ואל יהרג . . . או אפילו ברבים ישמע להם תלמוד לומר ולא תחללו את שם קדשי ונקדשתי . . Cf. Aptowitzer in הצופה, 10, 1926, 32 ff.

[4] That question was raised during, and in consequence of, the Hadrianic religious persecutions at a meeting of the leading teachers of the time held in Lydda, as it is reported by R. Simeon b. Yehoṣadak in Yer. Synh. III, 21 b, 10; b. 74 a: נמנו בעליית בית נתזה בלוד על התורה מנין אם אמר גוי לישראל לעבור על אחת מכל מצות האמורות בתורה חוץ מעבודה זרה וגילוי עריות ושפיכות דמים יעבור ואל יהרג, הדא דתימר בינו לבין עצמו אבל ברבים אפילו על מצוה קלה אל ישמע לו, Grätz, Geschichte IV, 2nd edition, 464 ff. But it is possible that, as R. Tarfon was present at another discussion held in the same place, Baraitha Kidd. 40 b; Sifré Deut. 11, 13, 41, 79 b, it happened in the year 117; see above, p. 200.

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[1] Midr. Tannaim Deut. 24, 4, 156: ולא תחטיא את הארץ, והרי הדברים קל וחומר אם כשהוא מחזיר את גרושתו הרי הוא מטמא את הארץ ומסלק את השכינה קל וחומר לעבודה זרה וגלוי עריות ושפיכות דמים.

[2] It should be noted that this teacher, without any further argument, takes תחטיא to be identical with תְטַמֵא in Deut. 21, 23; see above, p. 218.

[3] Midr. Tannaim Deut. 21, 23, 132: ולא תטמא את אדמתך, והלא דברים קל וחומר אם כששהו לקבור את הרשע הרי הן מטמאין את הארץ ומסלקין את השכינה קל וחומר לעבודה זרה ועריות ושפיכות דמים.

[4] Tos. Menaḥ. 13, 22; Yer. Yoma I, 38 c, 58; b. 9 b.

[5] In Sifré Deut. 11, 24, 51, 85 a: שלא תהא ארץ ישראל מטמאה בגלוליהם ואתם חוזרים ומכבשים חוץ לארץ אלא משתכבשו ארץ ישראל תהיו רשאים לכבש חוץ לארץ, Ye shall not go and subdue territories outside Palestine, while the land of Israel is still defiled by the idols of the heathens; but only after ye have subdued the land of Israel are ye permitted to subdue territories outside it. Cf. Sifré zuta Num. 35, 33, 190; Zebaḥ. 113 a.

[6] Sifré Deut. 23, 15, 258, 121 a: ולא יראה בך ערות דבר ושב מאחריך, מלמד שהעריות מסלקות את השכינה; 23, 10, 254, 120 b: ערוה, מה ערוה מיוחדת מעשה שגלו בה כנענים ומסלק בה שכינה, cf. R. Ishmael's state-

It is of special interest that the three cardinal sins are

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ment in Midr. Tannaim Deut. 23, 15, 148: רבי ישמעאל אומר נאמר כאן ערות דבר ונאמר להלן ערות דבר מה ערות דבר שנאמר להלן בהרהור ועבודה זרה הכתוב מדבר אף ערות דבר שנאמר כאן בהרהור ועבודה זרה הכתוב מדבר, where הרהור is the shorter term of הרהור עברה, immoral thoughts, as in Baraitha Berakh. 12 b. Cf. Reifmann in בית תלמוד 3, 1884, 86 ff.

[1] A most characteristic extension of those effects of idolatry to the sin of pride is found in an anonymous statement in Mekhil. Exod. 20, 21, 72a: וכל שהוא גבוה לב גורם לטמא את הארץ ולסלק את השכינה . . כשם שעבודה זרה מטמאה את הארץ ומסלקת את השכינה כך גבה לב גורם לטמא את הארץ ולסלק את השכינה, As idolatry defiles the land and causes God's presence to withdraw, so the haughty man causes the defilement of the land and the removal of God's presence.

[2] See Box, The Ezra-Apocalypse, 138.

described as impurities in the anonymous Baraitha dealing with the various sins atoned for by the high-priest on the Day of Atonement.[1] 'And he shall make atonement for the holy place, because of the uncleannesses of the children of Israel, and because of their transgressions, Lev. 16, 16, In this statement I have to include three kinds of impurity, that of idolatry, that of immorality and that of bloodshed; of idolatry Lev. 20, 3 says, Because he hath given of his seed unto Molech, to defile My Sanctuary, and to profane My holy name; of incest Lev. 18, 30 says, Therefore shall ye keep My charge, that ye do not any of these abominable customs which were done before you, and that ye defile not yourselves therein; of bloodshed Num. 35, 34 says, And thou shalt not defile the land which ye inhabit, in the midst of which I dwell; for I the Lord dwell in the midst of the children of Israel.' Another anonymous Baraitha[2] has of immorality this, 'And that ye defile not yourselves therein, Lev. 11, 43, This teaches that all cases of prohibited sexual intercourse are termed impurity; Neither shall ye make yourselves unclean with them, that ye should be defiled thereby, Lev. 11, 43, If ye defile yourselves by them, ye become disqualified from following after Me; what pleasure have I then from you,[3] since ye are incurring thereby the penalty of extinction at My hands: that is why it says,

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[1] Shebu'ōth 7 b; Sifra Lev. 16, 16, 81 c: תנו רבנן וכפר על הקדש מטמאת בני ישראל וגו׳, יש לי בענין זה להביא שלש טומאות טומאת עבודה זרה וטומאת גלוי עריות וטומאת שפיכות דמים, בעבודה זרה הוא אומר למען טמא את מקדשי . . .

[2] Sifra Lev. 18, 30, 86 d top: ולא תטמאו בהם, מלמד שכל העריות קרויות טומאה, ולא תטמאו בהם ונטמתם בם, אם מיטמאים אתם בהם נפסלים אתם מאחרי מה הנייה יש לי בכם ואתם מתחייבים לי כלייה, לכך נאמר אני ה׳ אני ה׳ אלהיכם. Cf. Yalkut Cant. 4, 12: שלא נטמאו במצרים בזנות.

[3] Note that God derives satisfaction from the obedience of His children to His will expressed in His commandments; so in the anonymous Baraitha in Sifré Num. 28, 8, 143, 54 a God says of the sacrifices: נחת רוח לפני שאמרתי ונעשה רצוני, It is a satisfaction for Me that what I commanded was done. See also Sifré zuta Num. 28, 2, 164; 28, 6, 168, and R. Meir in Berakh. 17 a.

I am the Lord, I am the Lord your God'. Whereas R. Ishmael spoke only of the defilement of the land by the cardinal sins, the unnamed author of the *Baraitha* just cited adduces for his argument a verse in which idolatry defiles the Sanctuary, a second biblical passage in which incest pollutes the sinner himself, and a third verse in which blood shed defiles the land.[1] But it was specially idolatry that the scholars declared unclean. So in an anonymous statement,[2] 'God spoke to Moses in Egypt outside the city; and why did He not speak to him in the city? Because it was full of abominations and idols. Though God spoke to some of the prophets outside Palestine, He spoke only in a clean place near water, as in Dan. 8, 2, "And I was by the stream Ulai; and in 10, 4, And I was by the side of the great river, which is Tigris; and Ezek. 1, 3, The word of the Lord came expressly unto Ezekiel the priest, the son of Buzi, in the land of the Chaldeans by the river Chebar." R. Eleazar b. Ṣadok says, As it is written in Ezek. 3, 22, "Arise, go forth into the plain, and I will there speak with thee", it teaches that the plain is a fit place'. And in his comment on Exod. 2, 5, 'And the daughter of Pharaoh came down to bathe in the river', R. Simeon b. Yoḥai said, It teaches that she went down to wash herself from the idols of her father, and so it says, Is. 4, 4, 'When the Lord shall have washed away the filth of the daughters of Zion'.[1] The object attributed to her washing shows that idols were regarded by R. Simeon as unclean, and from the verse adduced by him it is evident that to him idolatry was filth needing washing.[2] As an unnamed, evidently later scholar remarks, the Egyptians were polluted by their idols, 'Behold, his hand was leprous, as white as snow', Exod. 4, 6, 'Just as leprosy is an impure thing, so are the Egyptians impure and defile the Israelites'; 'And he put his hand back into his bosom; and when he took it out of his bosom, behold, it was turned again as his other flesh', 'so, says God, shall I cleanse Israel from the impurity of Egypt',[3] the idols which the Israelites had adopted from the Egyptians.[4] In the same sense other nations, and also the Israelites, are termed impure by R. Ḥaninah b. Gamaliel,[1] 'The Lord delivered them up', Deut. 32, 30, Not that I deliver you up (into the hand of your enemies) as pure men to the impure, but as impure men to the pure, as והסגיר in Lev. 13, 4 shows that only impure men are handed over because of their idolatry.[2]

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[1] In Sifré Num. 35, 34, 161, 62 b: אשר אני שוכן בתוכה, חביבים ישראל שאף על פי שהם טמאים שכינה ביניהם שנאמר אשר אני שוכן בתוכה, ואומר ולא יטמאו עוד את מחניהם אשר אני שוכן בתוכם, '*Beloved are Israel, for though they are defiled (by bloodshed), God's presence dwelleth among them, Num. 35, 34; 5, 3*'; *the second passage, however, refers to* levitical impurity. In the parallel in Sifré Num. 5, 3, 1, 1 b: אשר אני שוכן בתוכם, חביבים הם ישראל שאף על פי שהם טמאים שכינה ביניהם וכן הוא אומר השוכן אתם בתוך טמאתם ואומר ולא יטמאו את מחניהם, ואומר ולא תטמא את הארץ אשר אתם יושבים בה, the first two verses adduced, Lev. 16, 16; Num. 5, 3 refer to levitical impurity. The author used the term 'uncleanness' in its general sense, without distinguishing between levitical and moral defilements. Interesting is the account in Baraitha Yoma 23 a bottom; Tos. 1, 12; Yer. II, 39 d, 15; Sifré Num. 35, 34, 161, 62 b. of the murder of a priest by another at the altar in the Temple, 'When the father of the murdered youth found his son still struggling in agony, he said to those present, May his death atone for you! as my son is still struggling, the knife (stuck into him) is not defiled. This remark teaches us that the levitical purity of the tools (of the Temple) was more important for them than the question of bloodshed'. The contrast shows that blood shed did not defile levitically. In Tos. Shebu'ōth 1, 4: מיכן אמרו בעון שפיכות דמים שכינה נעלית ובית המקדש מיטמא, From this verse the scholars learned that on account of the sin of bloodshed God's presence is withdrawn to heaven and the Sanctuary is defiled.

[2] Mekhil. Exod. 12, 1, 1 b; Mekhil. R. Simeon Exod. 12, 6, 5 ff.: ומפני מה לא נדבר עמו תוך הכרך מפני שהיתה מלאה שקוצים וגלולים. About the date of R. Eleazar and the whole discussion see Bacher, Tannaiten, I, 49 ff., and about the impurity of idols, J.Q.R., 17, 1926, 63 ff.; R.E.J. 46, 1903, 90.

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[1] Sotah 12 b top: ותרד בת פרעה לרחוין על היאר, אמר רבי יוחנן משום רבי שמעון בן יוחאי מלמד שירדה לרחוין מגלולי אביה, וכן הוא אומר אם רחין ה׳ את צואת בנות ציון וגו׳.

[2] In Yelamdénu וירא 7, Grünhut, ספר הלקוטים VI, 54 b, cf. Tanḥ. וירא 4; Gen. r. 48, 10: אתה אמרת ורחצו אני ארחצם מכל טומאה שנאמר אם רחין ה׳ את צואת בנות ציון, Thou, Abraham, saidst, Gen. 18, 4, 'Wash', I shall wash thy descendants from all their impurity, Is. 4, 4.

[3] Tanḥ. שמות 23 on Exod. 4, 6. 7: מה הצרעת דבר טמא כך המצרים טמאין ומטמאין את ישראל, וישב ידו אל חיקו והנה שבה כבשרו, כך אני מטהר את ישראל מטומאת מצרים.

[4] Ezek. 20, 7. 8; in Mekhil. Exod. 12, 6, 5 a ff. R. Yehudah b. Bethera remarks on Exod. 12, 6 that it was difficult for the Israelites to separate from idolatry; and earlier an unnamed scholar, probably R. Matthia b. Ḥarash, says that the Israelites in Egypt were steeped in idolatry.

4. The 'scholars', the unnamed contemporary or later opponents of R. Yehudah and R. Neḥemiah who taught in the middle of the second century, apply to Israel's idolatry in Egypt, instead of טמא, the coarser term טינוף or טינופת or מטונף, 'When Moses informed the Israelites that they will be redeemed in that month, they said to him, Master Moses, how can we be redeemed, as the whole of Egypt is soiled with our idols?'[3] Again, in a statement which is an elaboration of Mekhil. 1 b quoted before, R. Simeon (b. Yoḥai) says, 'Great was the love of God for Israel, as, in order to redeem them, He revealed Himself even in a place of idols, a place of filth and a place of impurity'.[4] In the middle of the third century R. Ḥaninah and his disciple R. Yoḥanan applied the same word to idols;[5] and in an anonymous statement Abraham first asked the angels who came to visit him, to wash their feet and then

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[1] Midr. Tannaim Deut. 32, 30, 199; in Sifré Deut. 32, 30, 323, 138 b by R. Yehudah of Tib'im, in Yalkut R. Ḥananyah of (Kefar) Tib'im.

[2] שלא תהו סבורים שאני מוסר אתכם כטהורים ביד טמאים אלא כטמאים ביד טהורים ומנין שאין מסגירין אלא טמא שנאמר והסגיר הכהן את הנגע וגו׳, see Hoffmann's note on Midr. Tannaim, and Bacher, Tannaiten, II, 552. Idolatry defiles the worshipper; so R. Alexander, in the second half of the third century in Lydda, in his homiletic interpretation of Lev. 13, 45 in Threni rab., Prooem. 21; Bacher, Paläst. Amoräer I, 197 ff., says: והצרוע זה בית המקדש, אשר בו הנגע זה עבודה זרה שהיא מטמאה כנגע שנאמר ויחללו את מקדשי ויטמאוהו, 'the leper' refers to the Temple; 'on whom is the plague', refers to the idol which defiles as the plague of leprosy, as it says, 'They profaned My Sanctuary and defiled it' (?).

[3] Cant. rab. 2, 8; Pesik. rab. 15, 71 a: וכל מצרים מטונפת מעבודה זרה שלנו.

[4] Exod. rab. 15, 5: במקום עבודה זרה ובמקום טנופת ובמקום טומאה; cf. Tanḥ. בא B. 8, 'God revealed Himself to the Israelites in the land of Egypt; this is one of the places where the Pure revealed Himself במקום הטומאה'; cf. R. Yonathan in Midr. Samuel 2, 27, VIII, 35 a; Pesik. r. 42, 176 b; Yelamdénu וירא 33, Grünhut, ס׳ הלקוטים VI, 66 b.

[5] Cant. rab. 5, 3: טינוף עבודה זרה.

to lodge, Gen. 18, 4, because he minded the filth of idolatry, while Lot invited the angels first to lodge and then to wash their feet, Gen. 19, 2, because he minded not the filth of idolatry.[1] Here we find again washing applied to objects of heathen worship; but as only the feet are washed, the impurity is not levitical, since the slightest levitical defilement in the Pentateuch demands the immersion of the whole body, Lev. 22, 6. So also in Gen. rab. 65, 5, in an anonymous statement we find, 'Since Rebekah was the daughter of idolatrous priests, she minded not the filth of idolatry so much, while Isaac who was the son of a holy man, did mind the filth of idolatry'. And an unnamed scholar interprets Na'omi's instruction to Ruth, 'Wash thyself', Ruth 3, 3, to mean: wash thyself from the filth of thy idolatry,[2] and so it was also his idea that idolatry could be cleansed away by washing. The verb טנף is used in the same sense in an anonymous statement:[3] Esau soiled himself with immorality and bloodshed. A synonym for the filth of sin is לכלך which was applied to idolatry, at the latest, in the second century.[4] 'What is the meaning of "and thou dost dwell in their cities, and in their houses", Deut. 19, 1? Not to afford to the Israelites an occasion for saying, Countries that were not soiled with idolatry are permitted, but cities that were soiled with idolatry are prohibited.'[1] In an anonymous statement it is said that in spite of God's assurances Jacob was afraid of Esau, Gen. 32, 8, and declared in a characteristic combination of synonyms, Perhaps, while staying in Laban's house, I was soiled with impurity, with sin.[2] In a parallel account[3] R. Samuel b. Naḥman, of the second half and the last quarter of the third century, is named as the author, and instead of the words in the last sentence it has שמא יגרום החטא, 'perhaps my sin will cause it', and the same words are found in the Tannaitic statement.[4] This comparison of the parallel versions of the same account is of great interest for the establishment of the progressive changes in the style of the Midrash in the continued oral transmission of a statement by successive preachers. And consequently, the general statement of Dr. Schechter[5] that לכלך was applied by the Rabbis to sin, has to be qualified, at least as far as the date is concerned, as so far no scholar before the second half of the second century could be traced with certainty who would have used that term of idolatry, and none before the second half of the third century who applied it to other sins.

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[1] Gen. rab. 50, 4: טינופת עבודה זרה; according to those scholars the dust on the feet of idolaters had some connexion with their idolatry, see Rashi. See also in Lev. rab. 17, 7; Pesikt. rab. 33, 154 a in an anonymous passage: טינופת עבודה זרה.

[2] Ruth rab. V, 12 on 3, 3.

[3] Pesikt. rab. 12, 49 b; Tanḥ. כי תצא 10. On Amos 5, 1 Jerome refers to Ezek. 2, 10, 'And there was written therein lamentations, and moaning, and woe', and interprets the three nouns thus: Carmen super illos, qui nullā peccatorum sorde maculati, cantico et laude sunt digni; vae super eos, qui non agunt poenitentiam, sed juxta duritiam cordis sui thesaurizant sibi iram in die irae (see Rahmer in MGWJ. 42, 1898, 97). The first word means: A song about them who, not being soiled with any filth of sins, are worthy of praise and song.

[4] Mekhil. Deut. 12, 29 in J.Q.R. 16, 1904, 451; Midr. Tannaim, 61 bottom: ומה תלמוד לומר וישבת בעריהם ובבתיהם, אלא שלא ליתן פתחון פה לישראל ארצות שלא נתלכלכו בעבודה זרה מותרות אבל ערים שנתלכלכו בעבודה זרה יהו אסורים. . . Cf. Sifré zuta Num. 35, 33, 190; Zebaḥ. 113 a.

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[1] In the second half of the second century R. Ishmael b. R. Yosé said of an ugly woman, Nedar. 66 b: יפה קורין אותה לכלוכית שהיא מלוכלכת במומין, 'They call her rightly לכלוכית, for she is soiled with blemishes', and used the word in a transferred meaning. Though it was suggested by the name of the woman, he could not have interpreted it in that way, if the word had not been used in a transferred sense generally. Cf. Midr. Tannaim Deut. 26, 19, 262, line 17: לבזויה זו שהיא מטונפת ומלוכלכת.

[2] Tanḥ. בשלח 28: נתלכלכתי בטומאה ובחטא. In the parallel in Tanḥ. חקת 25; B. 55 the wording is different: אמר שמא נתקלקלתי אצל לבן בכלום, and the same are the variants regarding the stay of Moses in Jethro's house in Midr. Psalm, see below. The first passage is quoted in Yalkut Makhiri Prov. 28, 14, 76 b from both sources with the reading נתלכלכתי; but it may merely be an adjustment to the more familiar expression, though also Num. rab. 19, 32 has that word. Rashi on Gen. 32, 11 and Naḥmani have נתקלקלתי.

[3] Yelamdénu וישלח 2, Grünhut, ספר הלקוטים VI, 108 b from Tobiyyah b. Eliezer's לקח טוב on Gen. 32, 7; Yalkut on Gen. 32, 8.

[4] Mekhil. Exod. 17, 13, 56 a: אמר יעקב אבינו . . שמא יגרום החטא, cf. Baraitha Berakh. 4 a bottom, and the statement of R. Jacob b. Idi.

[5] Some aspects of Rabbinic Theology, 233-6.

The two synonyms טנף and לכלך alternate in the various versions of the same statement. So R. Yehudah b. R. Simeon, about the year 300 and after, says,[1] 'For all the sins with which the Israelites soil themselves in the course of the year, the Day of Atonement atones, Lev. 16, 30'. R. Levi, in the second half of the third century, says, 'Esau soils himself throughout the year with sins, and has nothing by which he would atone for them; but Jacob who soils himself with sins throughout the year, has, when the Day of Atonement arrives, means by which to atone for them'.[2] The two goodly kids of goats in Gen. 27, 9 are interpreted by R. Ḥelbō, about the year 300, thus, 'Good for thy children, when they soil themselves throughout the year with sins, for when they offer two he-goats on the Day of Atonement, atonement will be granted to them'.[3] The earliest instance of its use appears to be the interpretation of 'Dip thy morsel in the vinegar', Ruth 2, 14, by R. Yoḥanan who died in 279; he refers those words to king Solomon's soiling himself with (evil) actions, or to king Menasseh who soiled his deeds with evil like vinegar.[1] His contemporary, R. Eleazar b. Pedath, says in the name of R. Yosé b. Zimra, ‘When Abraham had killed all the hosts of the four kings, Gen. 14, he had qualms of conscience and said, Is it possible that there should not have been one righteous man among those? But God reassured him by Is. 41, 3, which is interpreted: no stain of sin follows thy footsteps.’[2] If the passage has been handed down exactly, the term of soiling with sin was applied in Sepphoris in the middle of the third century.[3] In the fourth century the idea of the atonement of the soiling sins by the Day of Atonement was extended to the New Year's day, as an anonymous statement has,[4] ‘On this day all men are standing in judgment before God and the world is found to deserve annihilation, because the creatures are all soiled with sins, but God declares His world not guilty’. And not only to the sins of the whole of Israel did the scholars apply the idea, but also to those of the individual Jews, as R. Joshua b. Neḥemiah, of the fourth century, says on Job 16, 17, ‘“Although there is no violence in my hands, and my prayer is pure”, If a man whose hands are soiled with robbery calls to God and He answers him not, it is because his prayer is turbid’.[5] This is probably based on the warning of the preacher and reader at the service on the public fast held on account of some grievous calamity. He denounced the mere repentance of him who had committed a sin against his fellow-man thus: While a man has a dead insect in his hand, even if he immerses in the waters of Shiloaḥ and all the waters of the creation, he will never become purified; but when he has thrown away the dead insect from his hand, his immersion in forty Se'ahs of water is effective, as it says, Prov. 28, 13, 'He that covereth his transgressions shall not prosper; but whoso confesseth and forsaketh them shall obtain mercy'; and it says, Lam. 3, 41, 'Let us lift up our heart with our hands'.[1] This old address is an important and instructive illustration of the apparent similarity in the popular mind of the cleansing of a sin of dishonesty by the restitution of the robbed property and by repentance, and the purification from a levitical defilement. Yet, at the same time, their definite dissimilarity is evident from the two verses adduced in support: they emphasize the characteristic features peculiar to the cleansing of sin, the confession of the wrong done and its abandonment in the future, and the indispensable moral cleanness of the hands.[2]

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[1] Cant. r. 8, 8; in 6, 11, cf. Pesikt. rab. 11, 42a; Cant. r. 1, 5, R. 'Azaryah: כך כל מה שישראל מתלכלכין כל ימות השנה בעונותיהן בא יום הכפורים ומכפר עליהם שנאמר כי ביום הזה יכפר עליכם, Midr. Psalm 15, 5 has מתקלקלין.

[2] Gen. r. 65, 15.

[3] Pesikt. rab. 47, 191a. A comparison of the parallel in Lev. r. 27, 9; Tanḥ. תולדות 10 is of interest. R. Berekhyah in the name of R. Ḥelbō said, Rebekah said to Jacob, The kids of goats will be good . . for thy children, for through them they will obtain atonement on the Day of Atonement. Here any reference to their soiling themselves with sins is absent; or has it been lost by accident? For in Midr. Psalm 9, 7 R. Joshua in the name of R. Idi says, The community of Israel said to God, Master of the Universe, I am guilty, שטינפתי בלכלוך מעשים רעים שעשיתי, for I have soiled myself with the filth of evil deeds which I have done. So R. Idi did use the two terms in another connexion. So again in an anonymous statement in Cant. r. 8, 14: Flee, my Friend, from the exile wherein we are and are soiling ourselves with sins, and cleanse us to be like the gazelle!

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[1] Ruth r. on 2, 14: זה לכלוך מעשים.

[2] Midr. Psalm 110, 4: לא יבא ברגליך לכלוך עון.

[3] Buber in his note and Bacher, Paläst. Amoräer I, 114, 3, refer to the parallel in Gen. r. 44, 4, where the same is given as R. Levi's statement, but it concludes, God said to Abraham, The hosts which thou hast killed were as thorns to be cut down, Is. 33, 12; the reference to his soiling with sins is absent. On the other hand, it must be admitted that, as R. Levi's interpretation of Is. 41, 3 is not given there, the two statements are not to be regarded as identical.

[4] Pesikt. r. 40, 169 a.

[5] Exod. r. 22, 3. In the statement following immediately after that R. Ḥama b. Ḥaninah, of the second half of the third century, merely says, ‘he who has robbery in his hand’, and does not refer to the soiling of the hands, and adds, ‘his prayer is turbid’. The same idea is expressed in a positive form in the anonymous statement on Is. 61, 8 and Psalm 24, 3. 4 in Tanḥ. צו B. 2: When mayest thou bring a burnt-offering? when thou hast cleansed thy hands from robbery, כשתנקה כפיך מן הגזל. And in Synh. 49 a bottom Rabh (?), the Babylonian teacher of the first half

In an anonymous statement preserved in the late Midrash work on the book of Proverbs, on Prov. 11, 22, 35 a,[3] we read, 'If thou placest all golden ornaments on the snout of the swine, the swine will soil them with mire and filth, and as they are not washed they smell badly: so, if a scholar visits a whore and sins with her, he soils his learning'. As in the case of the biblical designation of immorality as impurity,

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of the third century who had previously been a disciple of R. Yehudah I in Sepphoris, says on 1 Reg. 2, 43, Just as the desert is clear of robbery and immorality, so the house of Joab was clear of robbery and immorality, מנוקה מגזל ועריות. Cf. R. Eliezer in Mekhil. Exod. 16, 10, 48 a, R. Eleazar of Modim in Mekhil. R. Simeon Exod. 16, 10, 76.

[1] Tos. Ta'an. 1, 8; Yer. II, 65 a, 70; b. 16 a bottom.

[2] Cf. also Tanḥ. תזריע 1; B. 1: Just as the child in the mother's womb is soiled, so is man soiled with sins, and distress comes upon him.

[3] Cf. Yalkut on Prov. 11, 22 and its variants; see Midr. Prov. 6, 20 and Buber.

it is clear here also that the sin of such intercourse does not soil the body,[1] but, as is explicitly stated, the learning in the scholar; the Torah in him is pure and holy, and is enshrined invisibly in his heart or brain, and the association of the bearer of the Torah with the whore contaminates the sacred knowledge stored up. The literal meaning of the biblical טנף in Cant. 5, 3, 'I have washed my feet, how shall I defile them?' refers to soiling with dust or mire; and in the same physical connotation לכלך is applied to soiling e.g. with blood in the statement of R. Yiṣḥak about king David who says of himself, My hands are soiled with the blood of women, as I examine (in the capacity of a scholar) blood, fetus and placenta in order to declare a woman levitically pure for her husband.[2] Both appear in the statement of R. Abahu, of the second half of the third century, 'A child comes from the mother's womb soiled and filthy, and full of secretion and blood, and still all embrace and kiss him'.[3] But לכלך must have been used in the Hebrew language long before that period, as was inferred by Prof. Nestle[4] from LXX on Ezek. 7, 17; 21, 12: *πάντες μηροὶ μολυνθήσονται ὑγρασίας* for כל ברכים תלכנה מים, where 'will be soiled' for תלכנה presupposes the translator's reading תלכלכנה, and, in Nestle's view, לכלך should be included in the Hebrew dictionary. The introduction of the biblical טנף and the later לכלך into the vocabulary of the Haggadists to describe the effect of sin upon man marks a coarsening of their language; though at the same time it must be admitted, it evidences an existing need for the stronger rejection of idolatry which probably surrounded the Jewish population in Galilean cities like Tiberias, Sepphoris and 'Akko. In reality, however, the two words which were borrowed from the ordinary, daily life are neither stronger nor coarser in sound and meaning than צואה in Is. 4, 4; Zechar. 3, 3. 4; Prov. 30, 12, applied to certain grave sins; and it is evident that the idea of the soiling nature of sin continued without any break from biblical to the late Rabbinic times, and only the vocabulary expressing that character varied.

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[1] See J.Q.R. 17, 1926, 15.

[2] Berakh. 4 a.

[3] Pesikt. 77 b; Tanḥ. אמור 11: מלוכלך ומטונף, without the two strong words in the parallel in תזריע B. 1; the author's name is given in Tanḥ. B. only. It is noteworthy that the Pesiktha contains no statement with either word in relation to sin.

[4] In A Palestinian Lectionary, edited by Agnes Smith Lewis, London, 1897, p. xvii.

That continuity is further proved by the fact that not only scholars of the third century applied the concept of the impurity of sin to the transgressions of the individual Jew,[1] but, as was already shown, also teachers of the second century. Again, in two anonymous Baraithas it is stated,[2] 'Neither shall ye make yourselves unclean with them, that ye should be defiled with them', 'If a man defiles himself a little, God defiles him much; if he defiles himself on earth, God defiles him in heaven; if he defiles himself in this world, God defiles him in the world to come'. The other Baraitha on Lev. 11, 44 has, 'Sanctify yourselves that ye may be holy', 'If a man sanctifies himself a little, God sanctifies him much: if he sanctifies himself on earth, God sanctifies him in heaven; if he sanctifies himself in this world, God sanctifies him in the world to come'. As the two Baraithas consist of the same three parts and are identical in their structure and even in all their words, and only differ in the two basic and opposite terms borrowed from the consecutive, but contrasting verses, Lev. 11, 43. 44, and determining their respective subject-matter, they are undoubtedly by the same author and had their place together in a Tannaitic running commentary on Levit. 11, perhaps the Mekhiltha on Leviticus.[1] Though the contrast in the biblical injunctions is between the prohibition of levitical self-defilement by the Israelite and the commandment of his levitical and moral self-sanctification, in the Rabbinic interpretation the self-defilement is not levitical, but moral and religious, as is evident not only from the statement itself as a whole, but specially from the declaration that God defiles the sinner in heaven and in the world to come. And as this applied sense of defilement by sin is used without a word of explanation, it is clear that at the time when, and in the school where, the statement was made, the terms 'unclean', 'defile', in that connotation were freely used by the scholars and assumed by them to be intelligible in that transferred meaning to their disciples and perhaps even to their non-learned audience. For the terse, antithetic and popular formulation of the thought points to the instruction of the people and to a popular exposition to the ordinary man, and not so much to the teaching of students in the school. As to the principle enunciated in the statement, it is hardly doubtful that the defilement refers to the commission of a deliberate sinful act, and not to a sin done unwittingly or in error, as the latter could hardly be followed by the grave consequences named. The author then declares emphatically that a wilful transgression defiles him who committed it; and though it does not say whether several actions of that nature are needed to defile him or one would be sufficiently grave to produce that effect, the addition of the word 'a little' suggests that even one deliberate transgression defiles, evidently on account of the provocation of God manifested thereby, Num. 15, 30. As such a sinner defies the will of God embodied in His commandments, how does He receive such defiance? For there can be no doubt that He will not remain indifferent to such provocation. In Num. 15, 30 the high-handed action is termed contempt of God's word and blaspheming Him; but that seems to refer to graver acts of provocation in some essential principles of Israel's religion,[1] while the Baraithas seem to refer to any prohibition of even a less grave character. God takes note of the offensive act, and what is the sequel? Immediately before the Baraitha R. Simeon b. Lakish, of the third quarter of the third century, says,[2] 'What is the meaning of Prov. 3, 34? If a man goes to defile himself, they open (the door) for him; but if he goes to purify himself, they assist him. In the school of R. Ishmael they said, This is like the case of the man who was selling naphtha and balsam; when about to measure naphtha, he says to the buyer, Measure it for thee thyself; but when about to measure balsam, he says to the buyer, Wait till I and thou measure it together, so that I and thou may perfume ourselves.' As this illustration must have referred to a preceding statement demanding illustration, it is almost certain that the statement of R. Simeon b. Lakish, or a similar one displaced by his, was originally quoted in the name of the school of R. Ishmael[3] by which it was also illustrated. The plural in 'they open, they assist', is, as in the two anonymous Baraithas 'they defile, they sanctify', the usual way of the Rabbis of reporting an action of God without mentioning Him as the author of it, and refers tacitly to his בית דין של מעלה,[4] the heavenly court, as already Rashi explained it (see below). If a man is on the way to sin deliberately, they open for him the door to the impurity, that he might enter by it: they provide for him the access, it is not withheld from him so that he might not commit his deliberate transgression. God's answer to such wilful sin is that He does not intervene to stop the deliberate sin, but even allows the sinner to find further opportunities for sinning which are available for those who wish to have them; he asks for naphtha, sin, and he is told to measure it for himself, to have the bad smell of it, sin's effects, defilement, and that leads to further sinning.

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[1] An anonymous statement in Tanḥ. נח 1; B. 1, says that Adam was the holy cake taken by God of the earth, but Eve defiled him (by her sin), in Gen. r. 17, 8: על ידי שקלקלה את אדם הראשון, she corrupted Adam; see pp. 301, 2, and Yer. Shabb. II, 5 b, 41.

[2] Yoma 39 a top on Lev. 11, 43: תנו רבנן ולא תטמאו בהם ונטמתם בם, אדם מטמא עצמו מעט מטמאין אותו הרבה, מלמטה מטמאין אותו מלמעלה, בעולם הזה מטמאין אותו לעולם הבא. תנו רבנן והתקדשתם והייתם קדושים, אדם מקדש עצמו מעט מקדשין אותו הרבה, מלמטה מקדשין אותו מלמעלה, בעולם הזה מקדשין אותו לעולם הבא, see Hoffmann, Leviticus, I, 354.

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[1] Hoffmann, Zur Einleitung, 72 ff.

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[1] Cf. Sifré Num. 15, 30. 31, 112, 33 a.

[2] Yoma 38 b bottom: אמר רבי שמעון בן לקיש מאי דכתיב אם ללצים הוא יליץ ולענוים יתן חן, בא ליטמא פותחין לו בא ליטהר מסייעין אותו, תנא דבי רבי ישמעאל מ״ל לאדם שהיה מוכר נפט ואפרסמון בא למדוד נפט אומר לו מדוד אתה לעצמך, בא למדוד אפרסמון אומר לו המתן לי עד שאמדוד עמך כדי שנתבסם אני ואתה, תנא דבי רבי ישמעאל עבירה מטמטמת לבו של אדם שנאמר לא תטמאו בהם ונטמתם בם אל תקרי ונטמתם אלא ונטמטם. Cf. Tanḥ. בלק 8; B. 10.

[3] See Bacher, Tannaiten, II, 343; Paläst. Amoräer I, 359.

[4] R. Simeon b. Yoḥai in Shebu'ōth 21 a; in the anonymous Baraitha Rosh haShan. 8 b top; Midr. Tannaim Deut. 24, 16, 160.

The same idea is expressed by Simeon b. ʻAzzai before the year 117 or 135,[1] ʻ Run to a light precept, and flee from a transgression, for precept draws precept, and transgression draws transgression ; for the reward of a precept is a precept, and the reward of a transgression is a transgression '. An opportunity for the performance of a good or an evil action offers itself to every man and it invites him to carry it out ; as he has the choice and the power to determine his step, ben-ʻAzzai advises him in the case of a positive duty not only not to hesitate, but even to run to perform it, even if it be a light and unimportant one. The commendation of quickness in resolve and of zeal in its execution clearly shows that ben-ʻAzzai was thinking of a case when a deliberate step had to be taken. Even more definitely does that follow from his advice to flee when a transgression is in question ; when man sees how it is luring him, and he is deliberating whether he should or should not follow the invitation, he is advised to resolve at once to run away from the sin. A quick decision in either case is urged on the ground that both, the duty performed and the transgression committed, draw after them another deed of the same character. It should be noted that the literal meaning of the verb גוררת which, no doubt, was chosen by ben-ʻAzzai deliberately suggests that the next opportunity for carrying out a positive duty or for transgressing a prohibition is brought on automatically by the previous action, and no other agent is to be thought of in the sequel. On the other hand, when ben-'Azzai adds that the reward of the first duty performed is another duty, and that of the first transgression committed is another transgression, the term שכר by itself, and also its use in apparently two different, but really identical meanings of sequel, suggest that in this part of the statement it is not to be regarded as automatic, but as a reward or a penalty. In connexion with the transgression naturally it cannot mean reward, but only punishment, and if this is correct, both uses of the word suggest God's intervention, as in the Baraitha quoted before, 'If a man goes to defile himself, they open (the door) for him; but if he goes to purify himself, they assist him'. Like the Baraitha, ben-'Azzai considered the consequences from two different points of view:[1] in the one case, when the man sins deliberately and thereby provokes God, He allows the sin not only to act mechanically and to attract another sin, but He even opens the way for further sinning; and in the other case of a duty performed with deliberation He affords a new opportunity for fulfilling a positive commandment.[2] But it may rightly be asked, if the man has committed a deliberate sin, is there no way of preventing further transgressions?

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[1] Abōth 4, 2: הוי רץ למצוה קלה ובורח מן העברה שמצוה גוררת מצוה ועברה גוררת עברה ששכר מצוה מצוה ושכר עברה עברה.

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[1] Cf. Mekhil. Exod. 15, 26, 46 a ff.: שמעון בן עזאי אומר שמוע מה תלמוד לומר תשמע . . . הוא היה אומר רצה אדם לשמוע בטובתו משמיעין לו שלא בטובתו, לשכח בטובתו משכחין אותו שלא בטובתו, הרשות נתונה אם ללצים הוא יליץ ולענוים יתן חן, 'Simeon b. 'Azzai says, If a man is willing to listen (to the instruction in the school) readily, they let him hear more without his readiness; if he wishes to forget readily, they make him forget without his readiness; free choice is granted, Prov. 3, 34'. Though the obligation to listen to the exposition of the Torah and of the oral law is not binding to the same extent and degree as the fulfilment of a biblical commandment, we are expected to listen to the exposition of our own free will, and then we are offered, without our seeking it, an opportunity for fulfilling that duty. This is ben-'Azzai's ושכר מצוה מצוה, while the sequel to ready forgetting of the Torah is שכר עברה עברה. The subject of משמיעין and משכחין is God who acts here in the same way as in the Baraitha discussed above, p. 308.

[2] Aaron Sarĝado, at the beginning of the tenth century in Sura in Babylonia, in Harkavy, Leben und Werke Saadia's, I, 279 ff.; Bacher, Tannaiten, I, 231, 8, quotes from an unknown source a statement of R. Eleazar b. 'Azaryah: מאי דכתיב ובשוב צדיק . . איפשר לרשעים גמורים מקבלן בתשובה ולפני צדיק שעשה עול אחד נותן לפניו מכשול, אלא זה שהוא עקש בדרכיו ומכוסים מעשיו מן הבריות הקב"ה מכשילו בדבר

5. In a parallel version of his statement ben-'Azzai advised the sinner to be troubled on account of his first transgression, as else it will draw other sins.[1] Whether this represents a later qualification of the certain, progressive lapse of the deliberate sinner assumed by R. Yehudah I, or is earlier than that, especially as ARN attributes the qualify-

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מפורסם ואחר כך נפרע ממנו כדי שידעו הכל שבדין הוא לוקה, 'When it says in Ezek. 3, 20, "Again, when a righteous man doth turn from his righteousness, and commit unrighteousness, I will lay a stumbling-block before him, he shall die", is it possible that He receives complete sinners in repentance, but puts a stumbling-block before a righteous man who committed one wrong deed? It refers to a man who is perverse in his ways which are unknown to his fellow-men, him God causes to stumble by a deed known to them, and after that He punishes him, in order that all should know that his punishment was just.' Here it is explicitly stated before the year 135 that in a certain case God causes a sinner to stumble over a sin.

[1] ARN, XXV, 41 a: בן עזאי אומר הוי רץ למצוה קלה ובורח מן העבירה, הוא היה אומר אם עשית מצוה אחת ואין אתה דואג מאותה מצוה סוף שהיא גוררת מצות הרבה, העובר עבירה אחת ואינו דואג מאותה עבירה סוף שהיא גוררת עבירות הרבה שמצוה גוררת מצוה ועבירה גוררת עבירה ששכר מצוה מצוה ושכר עבירה עבירה. In the case of the first precept fulfilled not דואג would be expected, but joy, as in fact in the parallel in Sifré Num. 15, 30, 112, 33 a ישמח is the corresponding word, but within a rather strange statement: רבי אומר העושה מצוה אחת לשמה אל ישמח על אותה מצוה שלסוף גוררת מצות הרבה והעובר עבירה אחת אל ידאג עליה לסוף שגוררת עבירות הרבה שמצוה גוררת מצוה ועבירה גוררת עבירות; here we should expect ישמח instead of אל ישמח, and ידאג for אל ידאג. As already Friedmann pointed out, Tobiyyah b. Eliezer had in his text of the Sifré both verbs without אל before them; and Horovitz in his edition of the Sifré, p. 120, note 15, supports that wording by the quotation of the Sifré passage in Yalkut Makhiri Isaiah 5, 18, p. 46. On the correct text ARN, XXV, 41 a and 2 ARN, 33, 36 b bottom will also have to be emended and interpreted. The wording is different in Tanḥ. ויקרא B. 10, 3 b; Tanḥ. ויקרא 6: לא יצר אדם על עבירה שעשה בשוגג אלא שנפתח לו פתח שיחטא אפילו בשוגג אפילו במזיד ולא ישמח אדם על מצוה שבאה לידו אלא שמצות הרבות עתידות לבא לו, לפיכך אם חטא בשוגג אין זה סימן טוב, חטא במזיד על אחת כמה וכמה, the first sin committed is explained as done unwittingly and as opening a door for further sinning, even deliberately.

ing statement to ben-'Azzai himself, is not evident. If in spite of the repeated warnings given by God the deliberate sinning continues, the consequences increase in gravity by God's intervention, as is very forcibly illustrated by R. Simeon b. Lakish, in the middle of the third century, on Exod. 10, 1 in Exod. rab. 13, 3. He says, 'God warns man once, twice or three times, and if he repents not, He locks his heart against repentance in order to punish him for his sins. So also in the case of Pharaōh, when God had sent Moses to the sinful king five times, but Pharaōh would not heed His words, He said to him, Thou hast stiffened thy neck and hast made thy heart heavy, behold, I add impurity to thy impurity.'[1] Here it is not an individual sin, nor the sum total of Pharaōh's sins that is described as impurity, but his stubbornness of heart that prompted him to repeated deliberate disobedience; after so many wilful provocations the stubbornness of the king is now increased by God Himself. R. Simeon does not consider the effect of Pharaōh's first refusal to obey God upon his increased liability to sin again, but only God's actual intervention after the repeated transgression of His will. And it would appear that in the view of R. Simeon after the first deliberate sin of the king God did not actively offer Pharaōh further occasion for sinning; unless His repeated demands to dismiss Israel, while formulated as commands inviting obedience, were in reality likely to be answered by increasing sinfulness. R. Joshua b. Levi, of the middle of the third century, says that one of the seven names of the evil inclination in man is 'unclean', as king David prayed, Psalm 51, 12, 'Create me a *clean* heart, O God'.[2] The same concept of sin as impurity is reflected in an anonymous and rather difficult statement,[3] 'From Psalm 51, 4 thou learnest that he who transgresses is as though he defiled himself by a human corpse, and they sprinkle upon him for purification only with hyssop, as also David said, Purge me with hyssop that I may be pure'.[1] The heart, לב is taken by R. Yosé the Galilean and R. Simeon to mean the evil inclination;[2] but that does not seem to fit the last statement which, indeed, demands the reverse. Could perhaps the literal interpretation of the verse, intended here, have been, 'My *good* inclination was killed in me', and that is why I committed

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[1] הנני מוסיף לך טומאה על טומאתך.

[2] Sukk. 52a; Bacher, Paläst. Amoräer I, 132.

[3] Midr. Psalm 51, 2, 141 a: מכאן אתה למד כל מי שעובר עבירה כאילו מיטמא בנפש מת ואין מזין עליו אלא באזוב, ואף דוד אמר כן תחטאני

באזוב ואטהר, וכי נטמא דוד אלא בעון שהנפש הוא חלל וכן הוא אומר
ולבי חלל בקרבי.

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[1] The second part of the statement is very difficult, and seems to mean first: was then David defiled? Yalkut reads in the continuation: אלא העון שהוא חלל הנפש, and Yalkut Makhiri Psalms, 140 b: וכי נטמא דוד בעון נפש חלל אלא בעון שהנפש חללה, 'Was David defiled (by his sin with Bath-Sheba) as by a sin of a person slain? (No), but by a sin by which the soul is slain, as it says, Psalm 109, 22, My heart is slain within me.' As the quotation in the first half of the statement shows, the verse is interpreted before it has been cited, and similarly Psalm 109, 22 in the second half is explained before it has been adduced. This difficult verse is expounded by R. Yosé the Galilean, before the year 135, in Baraitha Berakh. 61 b top; ARN, XXXII, 47 a; Bacher, Tannaiten I, 361, 3: רבי יוסי הגלילי אומר צדיקים יצר טוב שופטן שנאמר ולבי חלל בקרבי, רשעים יצר רע שופטן שנאמר נאם פשע לרשע בקרב לבי אין פחד אלהים לנגד עיניו, בינונים זה וזה שופטן שנאמר יעמוד לימין אביון להושיע משפטי נפשו. According to Rashi it means: God, or David himself, killed my heart in me, that is, my evil inclination, so that I am able to subdue it. Also R. Simeon b. Yoḥai in 'Abod. zar. 4 b ff.; Bacher, Tannaiten II, 122, interprets that verse in the same way; as also the anonymous Baraitha Baba bath. 17 a top says: שלשה לא שלט בהן יצר הרע אלו הן אברהם יצחק ויעקב . . . ויש אומרים אף דוד דכתיב ולבי חלל בקרבי, 'Over three men the evil inclination had no power, over Abraham, Isaac and Jacob, and, according to another opinion, also over David, as it says, My heart is dead in me'. In Yer. Berakh. IX, 14 b, 57; Yer. Sotah IV, 20 c, 50 R. Aḥa, of the middle of the fourth century, says that our father Abraham changed the evil inclination within him into good, compromised with it and made a covenant with it, but David was unable to stand up against it and so he killed it in his heart, as it says, 'My heart is killed in me'.

[2] Sifré Deut. 6, 6, 33, 74 a: רבי יאשיה אומר צריך להשביע את יצרו שכן אתה מוצא בכל הצדיקים שהשביעו את יצרם . . וכשם שהצדיקים משביעין יצרן שלא לעשות כך הרשעים משביעין יצרן לעשות . .

adultery? With that would agree that, while the Rabbis interpreted לבב, the longer form, to denote the good and the evil inclinations, לב, the shorter noun, as mentioned before, signified only one of them, the good one.[1] Whatever the purport of the second half of the statement may be, it is clear that according to its heading Psalm 51 represents the grave sin of king David's adultery as a gross defilement to be cleansed by God by the application of a thorough purging (above, p. 243 ff.). In reality, it referred to His chastisements, as R. Akiba interpreted the verse, 'David said to God, Chastise me, as it is written, Psalm 51, 4, Wash me thoroughly from mine iniquity, and cleanse me from my sin'.[2] On account of the technical term חַטא and the mention of hyssop the Haggadist took the cleansing by God literally, as though the defilement had been caused by a human corpse.[3] At the same time, as the Psalmist prayed for a clean heart, v. 12, and the Haggadist himself pointed to the mortal effect of a grave sin upon the soul, the real source of David's, and any man's transgression was not outside them, but in their hearts and minds. The reference to hyssop suggested to the scholar that the defiling effect of the grave sin upon the sinner was like the levitical impurity conveyed by the human corpse; and the preposition of comparison constitutes an additional proof that the Haggadist, like the Psalmist, illustrated the grave moral impurity by a levitical defilement of a high degree.

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[1] In Tos. Berakh. 7, 7; Sifré Deut. 6, 5, 32, 73 a; Berakh. 9, 5, R. Meir says: בכל לבבך בשני יצריך ביצר טוב וביצר רע; cf. R. Eleazar b. Jacob in Tanḥ. כי תבא 2, and R. Aḥa in Gen. r. 48, 11.

[2] Semaḥ. VIII: דוד אמר לאביו הלקני שנאמר הרב כבסני מעוני ומחטאתי טהרני, see above, p. 170.

[3] In Synh. 107 a bottom Rabh says that king David was for six months afflicted with leprosy; he deduced it from תחטאני באזוב in Psalm 51, 9, as Rashi explains it, 'It follows therefrom that he required purification with hyssop as the leper'. That refers to Lev. 14, 4. 6. 7, where cedarwood, a scarlet thread and hyssop are to be dipped for that purpose in the blood of the bird slaughtered over some well-water in a vessel, and with the water the priest sprinkled for purification upon the leper healed from his disease. It is certainly strange that Rabh should have inferred leprosy from the presence of hyssop which in the purification of the leper was only one of the materials to be used, whereas in the purification from the defilement by a human corpse the hyssop stands by itself, Num. 19, 18.

R. Yonathan b. Eleazar, before the middle of the third century in Sepphoris, told a story [1] of two robbers one of whom was on his death sent to Hell to join the company of sinners, while the other, when he saw how his companion was carried in disgrace to his grave,[2] was moved to repent before he died, and was, on account of that, sent to heaven, to Paradise. When the former saw the distinction and the glory of his late companion who, while on earth, had stolen and murdered with him, and when he learned of the effect of his repentance, he was also ready to repent, but was told that at that stage it was too late. When he wished to go and see the happy state of his companion, he was told, We are commanded that the wicked shall not stand beside the righteous, nor the righteous beside the sinners, and the unclean shall not stand by the side of the clean, nor the clean by the side of the unclean.[3] At first sight it might appear that the clean and unclean are identical with the righteous and the sinners, and that the adjectives only expressed the same idea in strictly synonymous terms, without an intention of adding any further distinctive features, but merely for the sake of emphasis or of poetical painting. But, in fact, the repetition suggests that R. Yonathan had in view different degrees of sinners and different categories of sins committed, as also perhaps different degrees of the sinners' punishments and of the finality of their doom. But, in any case, it is clear that men who had committed grave sins were described as defiled by their transgressions; and as their state of impurity, acquired on earth, continues after their death, it would seem that it is the soul, and not the body, that is defiled by sin. To this may be added the instructive anonymous interpretations [1] of the word 'black' in Cant. 1, 5, 'I am black and comely', as referring to the sins of Israel committed in Egypt, at the Red Sea, in Marah, Rephidim, Ḥoreb, in the desert, in connexion with the spies, in Shittim, by 'Akhan, by the kings of Israel and by king Aḥab. Of R. Levi b. Ḥaitha, of the fourth century, three applications of the same text are quoted, of which one is of special interest, 'I am black throughout the year, but comely on the Day of Atonement'; it corresponds with the statements considered before (p. 302) that Israel is soiled with sins throughout the year, but cleansed from such on the Day of Atonement.[2] And in his interpretation of 'the sun hath burnt me', Cant. 1, 6, R. Yiṣḥak, of the last quarter of the third century, replied to the reproaches of the Gentile nations, 'It is true, the sun of idolatry has burnt us, but ye, nations, are thus burnt from your mother's womb, as ye worshipped idols while yet in your mother's womb'.[3] All such interpretations are intelligible only if sin was conceived by the popular mind as a dark, black stain, just as the white colour denoted innocence and purity from sin, Is. 1, 18.

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[1] Ruth rab. III, 3; Kohel. rab. 1, 15, 1; Pesikt. rab. 198 b; Bacher, Paläst. Amoräer I, 87.

[2] See Büchler in REJ. 46, 1903, 77.

[3] לא יעמדו רשעים בצד צדיקים ולא צדיקים בצד רשעים ולא טמאים בצד טהורים ולא טהורים בצד טמאים. The two groups of persons in Hell and Paradise are referred to in the middle of the second century by R. Yehudah b. Ilai in Kohel. rab. 4, 1: רבי יהודה אומר אלו הקטנים הנגנזין בחייהן בעון אבותם בעולם הזה, לעתיד לבא הן עומדין בצד חבורה של צדיקים ואבותיהם בצד חבורה של רשעים . .

To the same concept belongs the use of the root זהם in its literal as well as in its applied meanings in the answer given by R. Yoḥanan to the question addressed by his disciple R. Ḥiyya b. Abba to another disciple R. Assi, and answered by the master after the unsatisfactory reply of R. Assi, 'Why are the Gentiles polluted? Because they eat abominable and creeping animals; R. Yoḥanan said, Because they stood not at Mount Sinai; for when the serpent had carnal intercourse with Eve, it threw into her filth; this was removed from the Israelites, when they stood at Mount Sinai, but was not removed from the Gentiles, as they stood not at Mount Sinai.'[1] As the acceptance of the revelation by the Israelites purged away from Israel the filth common to all humanity, the impurity could not have been physical in the ordinary sense, so that the question of the teachers and their answers dealt with the religious and moral uncleanness of the Gentiles. And R. Assi's account of it by their eating of creeping and other animals did not view levitical impurity conveyed by unclean food, but, in accordance with Lev. 11, 43. 44; 20, 25. 26, a defilement of the soul, which is the reverse of holiness, unholiness. Similarly R. Yoḥanan's explanation by the semen of the serpent did not think of a merely physical contamination transmitted by Eve to her children and descendants, but of the low natural character of the beast with its manifestations in immorality, violence and Canaanite enormities.[2] That the filth meant sin may also be inferred from the statement of R. Neḥemiah, of the middle of the second century, that the revelation freed the Israelites from the angel of death.[3] So also his colleague R. Yosé expressed it,[4] The Israelites stood at Mount Sinai in order to become free from the power of the angel of death, but by corrupting their actions (by the golden calf) they lost that privilege, Psalm 82, 6. 7;[5] or, as R. Eliezer, the son of R. Yosé the

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[1] Cant. rab. 1, 5.

[2] Immediately after that follows the anonymous statement, 'As the curtains of Solomon' become soiled and are washed, and soiled and washed again, so Israel, though they soil themselves with sins throughout the year, the Day of Atonement atones for them, Lev. 16, 30; Is. 1, 18.

[3] Cant. rab. 1, 6; Aggad. Cant. 1, 5; Bacher, Paläst. Amoräer II, 291.

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[1] Shabb. 145 b bottom: מפני מה נכרים מזוהמין, שלא עמדו על הר סיני, שבשעה שבא נחש על חוה הטיל בה זוהמא, ישראל שעמדו על הר סיני פסקה זוהמתן אומות העולם שלא עמדו על הר סיני לא פסקה זוהמתן. Bacher, Paläst. Amoräer I, 252.

[2] See also the statement of R. Abba b. Kahana in Shabb. 146 a.

[3] Tanḥ. כי תשא 16; B. 12, and parallels in Bacher, Tannaiten, II, 256, 2.

[4] Mekhil. Exod. 20, 19, 72 a.

[5] An anonymous statement in Mekhil. Exod. 20, 19, 72 a has: God said, If it were possible to remove the angel of death, I should remove him, but for the original decree (of death for all men).

Galilean said,[1] If the angel of death should complain to God that he was created for no use, God will answer him that he has power over all the nations except Israel to whom He granted freedom from death, Psalm 82, 6. 7.[2] R. Ḥaninah b. Papa, of the end of the third century, in his interpretation of Psalm 17, 14, which was referred to the death of R. Akiba and other martyrs, said,[3] 'Men say of the martyrs who sacrificed their lives for the Torah that they were full of rust, there were sins in them, that is why they were put to death'. It is true, he interprets the word of the text חלד as the rust of sins, and it would not follow from his remark that he, as Ezek. 24, 11. 12, conceived sins as rust. But if the idea had not continued, at least among the scholars, he would not have read it into the biblical word; and his additional application of it to sins would have been unintelligible to, and entirely lost on, his audience, if the concept had not been familiar to it. Instructive is also the early statement of R. Eleazar b. R. Ṣadok, of the first century in Jerusalem, Lydda and Jamnia,[4] 'To what are the righteous men likened while in this world? To a tree all of which is standing in a place of purity, and some branches of which are stretching towards a place of impurity, so that when the branches are cut off, the whole of the tree is standing in a place of purity; so God brings chastisements upon the righteous men in this world in order that they may inherit the world-to-come. While in this world, the sinners are likened to a tree all of which is standing in a place of impurity and some branches of which are stretching towards a place of purity, so that, when the branches are cut off, the whole of the tree is standing in a place of impurity; so God showers upon the sinners prosperity in this world, in order to drive them out and make them inherit the lowest step of Hell.' In this allegory the tree represents the majority of man's actions, the pure place means the numerous good deeds, the impure place his sins;[1] the latter are blotted out by visitations sent by God, so that the righteous are thereby cleansed from their transgressions and become worthy of Paradise. This is an early instance of the illustration of moral and religious sins by levitical impurity; but the fact that the purging of the transgressions is effected by visitations sent by God is sufficient to prove that the defilement by sins was in reality not conceived as levitical. And it is noteworthy that the author who was a priest in Jerusalem before the year 70, used levitical material for his illustration.

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[1] Tanḥ. כי תשא 16; Lev. r. 18, 3; Bacher, Tannaiten, II, 300, 6; cf. the Baraithas 'Abod. zar. 5 a.

[2] Another statement cited in Yalkut on Lev. 10, 1, 525, contains the word זוהמא: משל למלך שהיה משיא את בתו ונמצא בשושבין שלו דבר של זוהמא, This is like the king who, when giving his daughter into marriage, found filth in his best man. According to the context it means suspicion of immorality. But, as Buber in his note on the original passage in Pesikt. 173 b has conclusively shown, the word זוהמא is a mistake, and a substitute for the foreign and more difficult word זינומייא, see 'Arukh s.v. זנם and Löw in Krauss, Lehnwörter, 246 b bottom.

[3] Tanḥ. כי תבא 2; B. 4; Yalkut Makhiri Psalm 17, 23; Midr. Psalm 17, 13; Bacher, Paläst. Amoräer II, 524; Yelamdénu כי תבא 5, Grünhut, ספר הלקוטים V, 154 a: חלודה מלאין חטאין יש בידן לפיכך הן נהרגין וכן הן מתים מחלד.

[4] Baraitha Kidd. 40 b; ARN, XXXIX, 60 a.

6. The biblical idea of purity as freedom from sin is expressed by R. Yosé the Galilean thus, 'Why did God speak to Moses out of the bush? Because the bush is pure, and the Gentiles worship it not as an idol.'[2] And the concept of cleansing away the sin by washing was used in the first century by the Hillelites in a dispute with the Shammaiites about the atoning effect of the daily public sacrifice upon the sins of the Jewish community. The statement is included in several of the Midrash collections with a number

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[1] The tree is planted near a grave, אילן שהוא מיסך על הארין, Ohal. 8, 2; Tos. 9, 3; Baraitha Niddah 57a bottom; or even on graves, Targum Yonathan Gen. 50, 1.

[2] Mekhil. R. Simeon Exod. 3, 1, p. 2. Cf. R. Simeon b. Eleazar's statement in ARN, XXVI, 41b, 'Jews living abroad worship idols בטהרה'; this word is absent in two manuscripts recorded by Schechter, and while Baraitha 'Abod. zar. 8a bottom has it, it is absent in Tos. 4, 6, ed. Zuckermandel; it means: without evil intention.

of important variants[1] and reads, ‘He-lambs of the first year, Num. 28, 3, The Shammaiites say, כבשים which press down the sins of Israel, (and later on the Day of Atonement comes and atones for them), as it says, Mic. 7, 19, He will subdue our iniquities. The Hillelites remarked, Anything that is pressed down will ultimately rise to the surface again; but כבשים mean: they that wash off the sins of Israel, (as it says, Is. 1, 18, Though your sins be as scarlet, they shall be as white as snow; and Jer. 4, 14, Wash thy heart from evil. Ben-‘Azzai, in interpreting בני שנה says, They wash off the sins of Israel) and free it from sin to make it like a child of one year who is free from all sin.’ Though both interpretations of the word כבשים by the two schools are Haggadic, the ideas about sins underlying the popular explanations may be assumed to have been the accepted view of the schools of the time and one of the approved religious concepts of all scholars in Jerusalem. In the opinion of the Shammaiites the daily public sacrifice presses down or submerges the sins of Israel.[2] The Hillelites interpreted כבש homiletically as כבס, wash, and assumed that the sacrifice effected the cleansing away of Israel's sins; and it is noteworthy that the blood of the sacrifice was sprinkled neither on the individuals concerned nor on the representatives of the people present at the sacrifice, so that the impurity of sin could hardly have been conceived as levitical. Over a century later R. Simeon b. Yoḥai said, 'Why is the Temple called Lebanon? Because it makes the sins of Israel as white as snow, Is. 1, 18.'[1] He and the Hillelites held that sins were unclean, and the reference to Is. 1, 18 suggests that they were thought to be of a colour not white which had to be removed by thorough washing.[2]

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[1] Pesikt. 61 b, with the parallels quoted by Buber in his note 102; Pesikt. rab. 195 a, 84 a; מדרש חסרות ויתרות ed. Marmorstein, p. 38, 161. Pesik. has: כבשים בני שנה, בית שמאי אומרים כבשים שהם כובשים עונותיהם של ישראל כמה דאת אמר ישוב ירחמנו יכבש עונותינו, ובית הלל אומרים כל דבר שהוא נכבש סופו לצוף, אלא כבשים שהם מכבסים עונותיהם של ישראל [כמה דאת אמר אם יהיו חטאיכם כשנים כשלג ילבינו, בן עזאי אומר כבשים בני שנה שמכבסים עונותיהם של ישראל] ועושין אותם כתינוק בן שנתו שהוא נקי מכל חטאת; the part in brackets fell out through homoioteleuton and was noted by Buber from the Oxford manuscript. ‘Arukh s. v. כבש quotes the wording of the ילמדנו, which is fuller and different: בית שמאי אומרים כבשים שהן כובשים את העונות ויום הכפורים בא ומכפר, אמרו להן בית הלל אף על פי שכתוב כבשים אנו קוראים כבסים שהן מלבינין עונותיהם של ישראל כשלג שנאמר כבסי מרעה לבך, Grünhut, ספר הלקוטים IV, 78 b.

[2] The continuation of Mic. 7, 19 reads, ‘and Thou wilt cast all their sins into the depths of the sea’, and suggests that כבש was intended to mean: press down to the ground whence they are cast into the depth; also צף means to rise from the depth of the water and float on the surface, see Bacher, Tannaiten, I, 16, 3. It is noteworthy that the Shammaiites without any further justification or explanation interpreted

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כבשׂ as כבשׁ and assumed that their audience would follow and appreciate it; were they perhaps of a district of Palestine where שׁ was sounded like שׂ, as in biblical times in the tribe of Ephraim, Judges 12, 6?

[1] Baraitha in Lev. r. 1, 2; Sifré Deut. 1, 7, 6, 66 b; 3, 25, 28, 71 b; Midr. Tannaim Deut. 1, 7, 5; Bacher, Tannaiten II, 100, 2: תני רבי שמעון בן יוחאי למה נקרא שמו (של בית הבחירה) לבנון שמלבין עונותיהם של ישראל כשלג הדא הוא דכתיב אם יהיו חטאיכם כשנים כשלג ילבינו ואם יאדימו כתולע כצמר יהיו. Bacher, Tannaiten, I, 23, 2 shows by a full argument that Lebanon in certain passages of the Bible was already in Temple times referred to the Temple, and that the application emanated from R. Yoḥanan b. Zakkai. For in his conversation with Vespasian (= Titus) in ARN, IV, 12 a; Threni rab. 1, 5; Gittin 56 b, he referred Lebanon in Is. 10, 34 to the Temple, and when he learned of the destruction of Jerusalem and the burning of the Temple, he applied Zechar. 11, 1 to the Temple. When once the doors of the Temple opened of their own accord, R. Yoḥanan b. Zakkai rebuked them in addressing the Temple thus: Temple, Temple, why frightenest thou thyself? I know that ultimately thou wilt be destroyed, as Zechar. 11, 1 prophesied concerning thee, 'Open thy doors, O Lebanon, that the fire may devour thy cedars', Baraitha Yoma 39 b. In 2 ARN, VII, 11 a bottom R. Ḥaninah, the head of the priests, the contemporary of R. Yoḥanan, gives the same interpretation. It may originally have referred to king Solomon's Temple and to בית יער הלבנון in 1 Reg. 7, 2; 10, 17. 21, as Yoma 39 b suggests. But apparently the explanation that the Temple makes the sins of Israel white, is older than R. Simeon b. Yoḥai and possibly was given by R. Yoḥanan b. Zakkai, just as the Hillelites' view that the daily public sacrifices washed away Israel's sins. As both quote as support Is. 1, 18, it is possible that R. Yoḥanan merely applied the idea of the Hillelites. Cf. Sifré zuta Num. 10, 32, 78.

[2] In Yelamdénu, quoted in Yalkut Makhiri Is. 1, 16, p. 12, an unnamed teacher says that 'Come now, and let us reason together', Is. 1, 18, refers

The parallel account quoted above adduces the more appropriate proof from Jer. 4, 14, 'O Jerusalem, wash thy heart from wickedness', as it contains an explicit reference to the washing of sin and, as discussed above (p. 246), places the source of sin in the heart which has to be washed from its wickedness. It should be noted already here that in the view of the Hillelites the sacrifice appears to have washed off the sins of Israel automatically. But not only does the Psalmist in 51, 4 pray to God, 'Wash me thoroughly from mine iniquity, and cleanse me from my sin', and assigns to God Himself the washing off of sin; but also in Lev. 4. 5 the atonement by the sacrifice for a sin committed by an individual unwittingly is preceded by a confession and followed by the forgiveness of God. Consequently, also the cleansing away of sin by the public sacrifice most probably still required the forgiving action of God.

In this connexion the reports concerning the winding of a crimson strap round the horns of the scapegoat and its fastening on the windows of the houses in Jerusalem, along which he was led outside the city on the Day of Atonement in the last decades of the Temple, demand special attention for this inquiry into the cleansing of sin. The early account of the sacrificial service on the Day of Atonement in Yoma 4, 2 states, 'The high-priest tied a strap of crimson, לשון של זהורית, upon the head of the scapegoat and stood him up at the place whence he was to be sent away. (6, 6) (When the man who led the scapegoat to a rock outside Jerusalem reached his destination), what did he do? He divided the crimson strap, and tied one half of it upon the rock, and the other half he tied between the two horns of the goat, and then pushed him down.' In the Baraitha in Yoma 39 b it is reported, 'In the course of the forty years preceding the destruction of the Temple the lot (drawn on the Day of Atonement and designating one of the two

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to the Day of Atonement, the day of reproof, שבו הקב"ה מלבין עונותיהם של ישראל שנאמר אם יהיו חטאיכם כשנים כשלג ילבינו, on which God makes the sins of Israel white, Is. 1, 18. The word מלבין is chosen to suit the verse adduced, but stands for the usual מטהר or מכפר, see above, p. 302.

goats in Lev. 16, 5. 7–9 as a sin-offering to God) happened not to come into the right hand of the high-priest, and the crimson strap did not turn white, and the westernmost lamp on the candlestick was found not to be burning in the morning, and the doors of the Temple opened of their own accord until R. Yoḥanan b. Zakkai reproved them'. In the parallel Baraitha in Yoma 39 a it is related, 'During the forty years of the high-priesthood of Simeon the Just the lot (invariably) came into the right hand (of the high-priest or of the head of the priests), after that it came sometimes into his right hand, other times into his left hand; and the crimson strap (invariably) turned white, after that it turned white on some occasions, on others it did not turn white, &c.' As all the other incidents included in the list occurred in the Temple, and the drawing of the lots formed a part of the proceedings in connexion with the designation of the scapegoat, it is very probable that also the application of the crimson strap in the account refers to the same procedure in the Temple.[1] Another Baraitha states,[2] 'Formerly they tied the crimson strap on their windows; when the straps of some persons turned white and those of others did not turn white, they felt ashamed before one another; so they tied the crimson strap in the entrance of the inner Temple. When in some years the strap turned white and in others it did not turn white, they tied it on the rock (from which the scapegoat was to be thrown down).' In the parallel Baraitha in Yoma 67 a the account reads, 'Formerly they tied the crimson strap on the porch of the Temple in the entrance on the outside; when it turned white, they rejoiced, and when it did not turn white, they were grieved and felt ashamed; so the authorities resolved to tie the strap in the entrance on the porch on the inside. When the people were now looking out to see whether the strap had turned white, the authorities resolved to tie half of the strap on the rock and the other half between the horns of the scapegoat.' 'R. Naḥman b. Papa in the name of R. Eleazar haKappar said, Formerly they tied the crimson strap in the entrance of the porch on the inside, and when the scapegoat arrived in the desert, the strap turned white, and so they knew that the duty in connexion with the scapegoat had been carried out.' The changes reported by R. Eleazar were recorded by R. Ishmael in Yoma 6, 8, so that the account is of no later date than the year 135 and was handed down by a priest. A Babylonian teacher of the fourth century, R. Naḥman b. Yiṣḥak, no doubt on some early source, relates[1] that it was R. Yoḥanan b. Zakkai who instituted that the crimson strap be tied on the rock.[2]

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[1] The Epistle of Barnabas, 7, 8, in speaking of the scapegoat says, 'The one is accursed, and all of you spit upon it, and pierce it and encircle its head with scarlet wool, thus let it be driven into the desert. And, indeed, he who has to remove it, after that had been done brings the he-goat into the desert, takes off the wool from it, and places it on a bush.' Cf. Tertullian, Advers. Marcion. III, 7.

[2] Yer. Yoma VI, 43 d, 29.

But strange to say, the Baraithas do not mention the fact explicitly that the crimson strap was bound upon the head of the scapegoat while he was yet standing in the inner fore-court of the Temple, though R. Akiba already suggested a biblical support for the fact itself known to him from an earlier report, 'Whence is it derived that they bind a crimson strap upon the head of the scapegoat? because it says, Is. 1, 18, Though your sins be as scarlet, they shall be as white as snow'.[3] Though he did not add in what place or at which stage of the proceedings it was done, he evidently referred to the act in the inner fore-court described by the same words in the Mishnah,[4] 'The high-priest (in the inner fore-court, before sending the goat away) bound a crimson strap upon the head of the scapegoat', and not to the later, similar act performed with the goat at the rock outside Jerusalem after the arrival of the man who led the goat away, 'What did the man do? He divided the crimson strap into two, one half he bound upon the rock and the other half he bound between the horns of the goat.'[1] So also in the difficult Mishnah,[2] 'The (cost of the) Red Heifer, the scapegoat and the crimson strap is defrayed from the heave-offering of the half-shekels (contributed by all Israel and stored) in the Temple chamber; the (cost of the) bridge over which the Red Heifer is led from the Temple Mount to mount Olivet, and the bridge over which the scapegoat is led from the Temple, and the strap between his horns is defrayed from the remainder of the shekels in the Temple chamber'. The reference to two straps of crimson in the list is difficult; the commentators identify the first with the crimson strap which had to be thrown into the fire in which the Red Heifer was burnt, Num. 19, 6, but its position in the list after the scapegoat and not immediately after the Red Heifer decidedly speaks against such identification. At best, it could refer to both, but, in any case, it refers to the crimson strap for the scapegoat. The fact that in the second reference the crimson strap is described as placed between his two horns, points, according to the Mishnah[1] and the Baraitha,[3] 'One half of the strap shall be bound upon the rock and the other half between the horns of the goat', to the stage when after the arrival of the goat at the rock outside Jerusalem the crimson strap is fastened between his horns. It is true, the parallel account,[4] 'When in some years the crimson strap fastened in the entrance of the Temple had not turned white, the authorities resolved to bind it upon the rock', does not mention the fastening of one half of the strap between the horns of the goat. The simplest explanation of the difficulty seems to be this: as R. Akiba and the old Mishnah Yoma 4, 2 explicitly state, the crimson strap was bound upon the head of the scapegoat before he was sent away from the inner fore-court of the Temple. Independently of that some inhabitants of Jerusalem bound crimson straps on their windows; later the authorities fastened a crimson strap in the entrance of the Temple, and ultimately they bound one on the rock from which the scapegoat was to be thrown down, and, according to Baraitha Yoma 67a and Mishnah 6, 6; Shekal. 4, 2, also between the horns of the goat. But none of the reports suggests clearly that the crimson strap which on the arrival of the scapegoat at the rock was divided into two was the strap bound by the high-priest upon the head of the goat; on the contrary, they clearly refer to two distinct straps, especially the Mishnah Shekal. 4, 2, and trace the origin of the one bound upon the rock. On the other hand, the Epistle of Barnabas states that on the arrival of the scapegoat and of the man leading him into the desert, the crimson strap put before round the head of the scapegoat was taken down (from the head of the goat) and put upon a shrub, and there is no reference to two straps, nor to the halving of the one strap which the goat had round his head. But the exact details of the procedure are not at all certain, and the various statements in the Mishnah and Baraitha cannot easily be reconciled, because they seem to reflect various stages of a long evolution in the application of the crimson strap. Therefore the position of the procedure in the account of the Epistle of Barnabas in the development of the whole custom is yet to be defined, as well as the value of the source from which the report was taken to be gauged by a detailed analysis which is outside the scope of this inquiry.[1]

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[1] Rosh haShan. 31 b. [2] See Grätz in MGWJ. 21, 1872, 190.

[3] Shabb. 9, 3: אמר רבי עקיבא . . מנין שקושרין לשון של זהורית בראש שעיר המשתלח שנאמר אם יהיו חטאיכם כשנים כשלג ילבינו.

[4] Yoma 4, 2: קשר לשון של זהורית בראש שעיר המשתלח

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[1] Yoma 6, 6: מה היה עושה, חולק לשון של זהורית חציו קשר בסלע וחציו קשר בין שתי קרניו,

[2] Shekal. 4, 2: פרה ושעיר המשתלח ולשון של זהורית באין מתרומת הלשכה, כבש פרה וכבש שעיר המשתלח ולשון שבין קרניו . . באין משירי הלשכה.

[3] Yoma 67 a: התקינו שיהו קושרין אותו על פתח האולם . . התקינו שיהו קושרין אותו חציו בסלע וחציו בין קרניו.

[4] Baraitha Yer. Yoma VI, 43 d, 29: חזרו וקשרו אותו בפתחו של היכל ויש שנים שהיה מלבין ושנים שהיה מאדים חזרו וקשרו אותו בסלע.

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[1] The ingenious, but improbable explanation of A. Krochmal in החלוץ

Whatever the purport of the minor details, the original use of the crimson strap and its meaning have not been preserved in the reports quoted. Yet not only R. Akiba's explanation, but also some of the Baraithas discussed explicitly connect the crimson colour of the strap with the sins of Israel, and interpret the recorded change of the crimson into white on the Day of Atonement as a sign of God's forgiveness of those transgressions. The accounts definitely show that at the latest in the last decades before the destruction of the Temple the crimson colour was taken to be symbolic on the basis of the figurative expression in Is. 1, 18. Of course, the possibility cannot be left out of account that the whole institution of using the crimson strap on the Day of Atonement owed its origin to that verse, and that some scholar in Temple times suggested for some definite purpose that the prophet's figure of speech be translated into reality. It is true, all the reports which refer to the change of the colour of the strap presuppose the destruction of the Temple; but the facts which they record soon after that event are all of Temple times, and though the details of the change of the crimson colour may seem legendary, they were believed then. The accounts reflect the haunting fear of the people in Jerusalem lest their sins of which they may have been conscious may not be forgiven by God on the Day of Atonement, and their great anxiety indicates a grave sense of sinfulness.[1] Whether the whole use of the crimson strap was the outcome of a living concept of sin and pardon, is not evident, and there is no other information available to confirm it.

7. So far the purging of the sins of the whole body of Israel by the daily public sacrifices and by the Temple has briefly been considered. As to the individual, as sin defiles,

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II, 1853, 59, takes no account of the differences between the various Baraithas and ignores Shekal. 4, 2 and Barnabas altogether. Cf. Güdemann, Religionsgesch. Studien, 105 ff.

[1] In Baraitha Yoma 66 b bottom: תנא מה שהי צפירא דין וחובי דרא סגיאין, '(When the scapegoat was slow, the assembled men said), Why does this he-goat tarry, when the sins of the generation are many?'

it is the duty of man to cleanse himself from the defilement of the sin committed, as far as his moral strength and determination enable him to do so. R. Yehudah (b. Ilai) said,[1] 'The ancient pious men were chastised with a disease of the bowels for about twenty days before their death in order to scour everything, so that they might enter pure into the world-to-come, as it says, Prov. 27, 21, The refining pot is for silver, and the furnace for gold, and a man is tried by his praise'. Their illness was physical and affected a part of their body; it undoubtedly purged the intestines of their unclean contents, so that מרק means, in the first instance and mainly, a physical scouring of the bowels from impurity, as in Lev. 6, 21 that of a metal vessel wherein a sin-offering was boiled, from the holiness of the sacrifice. It is, therefore, first a chastisement of the body, especially as it exhausts by the length of the physical suffering the strength of man. But other details in the statement point in another direction. First, the verse adduced as a biblical support of the statement suggests that the pious men were purged and tested not for their physical constitution, but for their moral worth; and secondly, the object of their physical chastisements is explicitly stated to have been, 'in order that they might enter pure into the world to come'.[2] Did at any time the *physical* purging of the bowels prepare and qualify for the admission of any man into Paradise? Again, the employment of the word זכאין for the state resulting from the cleansing of the bowels proves definitely that the protracted physical suffering purged not only the body, but also the moral condition of the pious men.[1] Consequently, למרק את הכל seems to imply not only the removal of all traces of food, as in the explanation of R. Nathan of Moses' preparatory stay on Mount Sinai in Exod. 24, 16,[2] 'The fact stated served to clear away the food and the drink in his intestines, to make him like the ministering angels', as there the objects of the same verb, food and drink, are explicitly mentioned. 'All' refers not only to any food left in the intestines, but also to any stain of sin present in the pious men, as the same verb implies in the statement of R. Ishmael, before the year 135,[3] 'If a man transgressed prohibitions the penalty of which is cutting off or death by a court of justice, and he has repented of his transgressions, his repentance and the Day of Atonement suspend the execution of the penalty, ויסורין ממרקין, and visitations scour away (or finally remove) the sin'.[4] Here visitations sent by

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[1] Semaḥ. III, 11; cf. Gen. r. 62, 2: אמר רבי יהודה חסידים הראשונים היו מתייסרין בחולי מעיים כעשרים יום קודם מיתתן כדי למרק את הכל כדי שיבאו זכאין לעתיד לבא שנאמר מצרף לכסף וכור לזהב ואיש לפי מהללו. See Büchler, Types, 111-115; Midr. Tann. Deut. 15, 11, 84.

[2] The position of the word זכאין after the verb permits of no other interpretation; it is used in the early Baraitha on Hillel's worthiness of the holy spirit in Synh. 11a: יש כאן אחד שראוי שתשרה עליו שכינה אלא שאין דורו זכאי לכך (the same about Samuel the small), in the parallel in Sotah 48b: שאין דורו ראוי לכך, in the second report זכאין; in Tos. Sotah 13, 3. 4 twice זכאי, in Yer. Sotah IX, 24b. 31. 34 twice כדיי; in all these reports זכאי means: worthy, and is followed by the thing of which Hillel and Samuel were worthy.

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[1] God employs the same illness for purging men from their sins before their death; so R. Yosé b. Ḥalaftha, of the middle of the second century, prayed, Shabb. 118 b: יהא חלקי ממתי בחולי מעיים, May my portion be with those who die from a disease of the bowels. Rashi characteristically explains it thus: שמתייסרין בייסורין ומתמרקין עונותיהן, for they are chastised with visitations and their sins are scoured away. In the Baraitha 'Erub. 41 b, 'Three persons will not see the face of Hell: those who suffered poverty, a disease of the bowels and at the hand of the Roman administration', the disease is described as a heavy punishment.

[2] Yoma 4 b top: רבי נתן אומר לא בא הכתוב אלא למרק אכילה ושתיה שבמעיו לשומו כמלאכי השרת. ARN, I, 1 a.

[3] Baraitha Yoma 86 a and parallels; Bacher, Tannaiten, I, 250, 3, see further, p. 345 ff.

[4] In ARN, XL, 60 b bottom an anonymous statement has: האומר אחטא ואשוב אין מספיקין בידו לעשות תשובה, אחטא ויום הכפורים מכפר אין יום הכפורים מכפר, אחטא ויום המיתה ממרק אין יום המיתה ממרק, 'To him who says, I will sin and repent later, no opportunity for repenting is granted; if one says, I will sin, and the Day of Atonement will atone for it, the Day of Atonement will not atone for it; I will sin, and the day of my death will cleanse it away finally, the day of his death will not cleanse it away finally'. This is based on R. Ishmael's four ways of atoning for sin, but only uses three of them; see below. It should be noted incidentally that, as the plural in אין מספיקין refers to

God are the subject of the identical verb, and these correspond with the chastisements by the disease of the intestines inflicted by God upon the pious men, so that למרק את הכל in their instance seems to mean the same as ויסורין ממרקין the object of which is grave transgressions, sins. The same idea is expressed in the rather incomplete, but sufficiently clear statement of R. Eleazar b. R. Ṣadok, of the first century,[1] 'God brings chastisements upon the righteous in this world in order that they may inherit the world to come, as it says, Job 8, 7, And though thy beginning was small, yet thy end should greatly increase'. In an almost identical formulation R. Simeon b. Yoḥai deduces from Prov. 6, 23 b the same principle,[2] 'So you see that the way that brings man into the life of the world to come is chastisements (sent by God)'. Another statement, assigned by the introductory words 'the same teacher said', to R. Eliezer, the son of R. Yosé the Galilean, of the middle of the second century, but really belonging to R. Akiba in Abōth 3, 16,[3] has,

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God, the statement clearly suggests that it is God who places in the way of the sinner the opportunity for repenting, while He does not provide such an opportunity for the sinner who deliberately transgresses God's law and provokes Him.

[1] Baraitha Kidd. 40 b: כך הקב"ה מביא יסורים על צדיקים בעולם הזה כדי שיירשו העולם הבא שנאמר והיה ראשיתך מצער ואחריתך ישגה מאד. See above, p. 187 and 318 ff.

[2] Mekhil. Exod. 20, 23, 73 a; Sifré Deut. 6, 5, 32, 73 b; above, p. 186: אמרת איזה דרך שמביאה את האדם לחיי העולם הבא הוי אומר אלו ייסורין.

[3] 2 ARN, XLIV, 62 a, cf. Baraitha Kidd. 39 b: הוא היה אומר . . ומייסרין לצדיקים בעולם הזה כבני אדם ששרפו את התורה ואין זכור להם כל מעשים טובים, כל כך למה, בשביל ליפרע מהם הפסד עבירה קלה שעשו בעולם הזה כדי שיתן להם שכר טוב משלם לעתיד לבא. That R. Akiba was the author of this statement is evident from Pesikt. 73 a; Gen. r. 33, 1; Lev. r. 27, 1; Tanḥ. אמור 5; cf. Tanḥ. נח B. 8: רבי עקיבא אומר אלו ואלו הקב"ה מדקדק עמהם, מדקדק עם הצדיקים וגובה מהם מיעוט מעשים רעים שעושין בעולם הזה בשביל ליתן להם שכר טוב לעתיד לבא, 'R. Akiba says, God deals with the righteous men strictly and exacts from them (satisfaction) for the few evil deeds committed by them, in order to give them a good reward in the world to come'. Cf. also the anonymous statement in Sifré Deut. 32, 4, 307, 133 a, 'Just as God punishes in the world to come the consummate sinner for the sins which he committed in this world, so He punishes the perfect righteous man in this world for the sins

'God chastises the righteous men in this world as severely as He chastises men who burnt the Torah, and does not remember to them all their good deeds, in order to punish them in this world for the few evil deeds committed by them, with a view to giving them in a full measure a good reward in the world to come'.

There are only few exceptionally pious men who are described as pure, or free, from sin. So in Psalms of Solomon 17, 41 the Messianic king is stated to be pure from sin; and Josephus[1] relates that, when Agrippa I offered the high-priesthood to Yonathan, son of Anan, he declined the honour and recommended for the position his brother Matthias, as he was pure from all sin against God and from all offences against the king, πάσης ... ἁμαρτίας ... καθαρός. Though the sins meant there were by others committed against God and a human being, the expression referring to both was taken from offences against God. R. Eliezer declared that in the patriarchs there was neither iniquity nor sin;[2] and his disciple R. Yehudah b. Ilai said,[3] 'If

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which he committed, &c.'. It is instructive that R. Akiba in Pesikt. 73 a, in the passage quoted before, instead of 'God punishes', says 'God collects from the righteous the few evil deeds', as though by committing a sin the righteous took up a loan with God. R. Akiba expresses the same idea in Abōth 3, 16, 'Everything is given on pledge, and a net is spread for all the living; the shop is open, and the dealer gives credit, and the ledger lies open, and the hand writes, and whosoever wishes to borrow may come and borrow; but the collectors regularly make their daily round and exact payment from man whether he be content or not; and they have that whereon they can rely in their demand; and the judgment is a judgment of truth, and everything is prepared for the feast'. The collectors are the punishing messengers of God, who exact satisfaction for the sins of man. Cf. ARN, 39, 59 b top; Midr. Tann. Deut. 15, 11, 84.

[1] Antiquit. 19, 6, 4, 315.

[2] Mekhil. Exod. 16, 10, 48 a: אבות הראשונים אין בהם לא עון ולא חטאת. In Mekhil. R. Simeon Exod. 16, 10, 76 the author is R. Eleazar of Modin; Bacher, Tannaiten, I, 206, 3. Against R. Eliezer's authorship speaks the fact that he impressed upon his disciples Eccl. 7, 20, 'For there is not a righteous man upon earth that doeth good and sinneth not', Synh. 101 a, and said, Baraitha 'Arakh. 17 a, If God had judged Abraham, Isaac and Jacob, they would not have been able to stand his rebuke. See Rosenthal, Vier apokryphische Bücher, 60.

[3] Lev. r. 27, 4; Pesikt. 76 a; Bacher in REJ. 63, 1912, 150.

anyone should ask thee whether really Adam would have lived for ever, if he had not eaten from the forbidden tree, tell him that, as Elijah who sinned not, lives for ever, so it would have been with Adam before him'; and R. Yehudah assumed, as it seems, without being contradicted, that there was no sin in Elijah. And an anonymous Baraitha states[1] that four men died only in consequence of the advice given by the serpent to Eve, Benjamin, Jacob's son, Amram, Moses' father, Jesse, David's father, and Kileab, David's son; that is, there was no sin in them to account for their death. According to one view[2] Moses and Aaron died only because death had been decreed upon all men without exception, while R. Simeon b. Eleazar, of the second half of the second century, holds that they died on account of their sin reported in Num. 20, 12. An anonymous Baraitha, in referring Deut. 32, 25 as a prophecy to the generation of the destruction of the first Temple, says, 'They were all pure from sin, like the virgin who tasted not sin'.[3] In an anonymous statement of uncertain date 'the son of Yakeh', Prov. 30, 1, is interpreted: clean from all sin and iniquity;[4] and R. Berekhyah, of the fourth century, in explaining Eccl. 3, 2, says, 'Happy is the man whose hour of death is like that of his birth, clean (from sin)'.[5] R. Assi, of the last quarter of the third century, says that on the Day of Atonement, when the Israelites are as pure as the ministering angels, they recite aloud the declaration, 'Blessed be His Name, whose glorious kingdom is for ever and ever'.[1] Again, bar-Kappara, of the end of the second century, in interpreting Eccl. 9, 8, 'Let thy garments be always white', says, 'white from transgressions';[2] he retained the adjective of the biblical text instead of using the word 'clean', as e.g. the anonymous statement has,[3] 'The palm branch to be used on the Feast of Tabernacles must not be stolen property, but clean from violence and theft'. Though his unrestrained attitude to God drew upon him the censure of Simeon b. Shetaḥ, recognition was expressed in the message of the members of the Synhedrion to Ḥoni for his successful prayer for rain. It was in the form of an interpretation of Job 22, 30 referred to Ḥoni, and the words, 'He delivereth him that is not innocent', were applied to him thus, 'Thou hast rescued through thy prayer our generation that is not clean (from sin)'.[4] Though exegetical, the statement proves the use of the term נקי at that early date in the sense of free from sin. In an anonymous Baraitha, very probably stating R. Yoḥanan b. Zakkai's reason for his abolition of the ordeal of the bitter waters before the year 70 in Jerusalem, Num. 5, 31, 'And the man shall be clear from iniquity', is interpreted thus, 'If the husband is cleared from iniquity, his wife will bear her iniquity, but not if the husband is not cleared from iniquity, as it says, Hos. 4, 14, "I will not punish your daughters when they commit harlotry, nor your daughters-in-law when they commit adultery; for they themselves consort with lewd women, and they sacrifice with harlots; and the people that is without understanding is distraught". He (R. Yoḥanan b.

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[1] Shabb. 55 b; Baba bath. 17 a.

[2] Baraitha Shabb. 55 b top. Cf. Buber, Midr. Deut. zuta, p. 4, no. 10, and parallels.

Sifré Deut. 32, 25, 321, 138 a: גם בתולה, מלמד שהיו מנוקים מן החטא כבתולה זאת שלא טעמה טעם חטא; little different in Midrash Tannaim Deut. 32, 25, 198, line 1.

[4] Midr. Prov. 30, 1; Yalkut Makhiri Prov. 30, 1, 87 b: בן יקה בן שהוא נקי מכל חטא ועון.

[5] Yer. Berakh. II, 4 d, 21; Koh. r. 3, 21; Deut. r. 7, 5, based on the statement of R. Yoḥanan in Baba meṣ. 107 a bottom: מה ביאתך לעולם בלא חטא אף יציאתך מן העולם בלא חטא. Cf. Yoma 86 b bottom.

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[1] Deut. r. 2, 36: אבל ביום הכפורים שהן נקיים כמלאכי השרת הן אומרים אותו בפרהסיא, in Pirkê R. Eliezer, 46: נקיים מכל חטא

[2] Kohel. r. 9, 8: לבנים מן העבירות.

[3] Midr. Psalms 26, 5: שיהא קי נמן החמס ומן הגזל שלא יהא הסניגור נעשה קטיגור; in Pesikt. r. 198 a: ואם הוא קורא בשמי ומנוקה מן החטא ינצל מדינה של גיהנם; cf. p. 303, 5.

[4] Baraitha Ta'an. 23 a: דור שלא היה נקי מלטתו בתפלתך

Zakkai)[1] said to them, "As ye pursue after immorality, the water will not test your wives", that is why it says, And the man shall be clear from iniquity.'[2] Though מנוקה is merely another passive form substituted for the Nif'al נקה in the verse interpreted, just this substitution of the Pu'al shows that this and the corresponding active forms of the Pi'el were used in the middle of the first century for 'free from sin', as in the wording of the Baraitha in the Palestinian Talmud the more familiar נקי expresses the same idea. This is borne out by the early report in the Baraitha of the confession of a criminal before his execution. 'When once a man was led out to be put to death, he said, If this sin is in me, may my death not be an atonement for all my sins; but if this sin is not in me, may my death be an atonement for all my sins, and may the court of law and all Israel be cleared, but the witnesses shall not receive forgiveness for ever'.[3] Also here the same two words are found respectively in the parallel accounts. R. Yeḥudah b. Ilai, the reliable recorder of early reports, says,[4] If the man taken out to be put to death knows that he deserves the penalty of death as a false witness who, without having been even present at the alleged deed, accused another man of a crime punishable by death, let him say, May my death be an atonement for all my sins except this; his colleagues said to R. Yehudah, If so, every criminal will say so in order to clear himself (from the crime, and suspicion will be cast upon the witnesses and the court of law).[5] So it is clear that נקי,

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[1] See Sotah 9, 9.

[2] Sifré Num. 5, 31, 21, 7 a : כשהאיש מנוקה מעון ; Baraitha Sotah 47 b : תנו רבנן ונקה האיש מעון, בזמן שהאיש מנוקה מעון המים בודקין את אשתו . . ; Yer. IX, 24 a, 26 : ונקה האיש מעון, אימתי האשה נושאה את עונה בזמן שהאיש נקי מעון.

[3] Synhed. 44 b : ובית דין וכל ישראל מנוקין ; Yer. VI, 23 b, 64 : ובית דין ישראל יהא נקי ; Tos. 9, 5 : ויהא בית דין של ישראל נקי, see p. 349 ff.

[4] Synhed. 6, 2.

[5] R. Simeon b. Lakish in Tanḥ. משפטים 5 end puts into the mouth of God the words : כשאנקה עצמי מאומות העולם ממצות קלות שעשו לפני, 'When I have cleared Myself from what I owe to the nations of the world

מנוקה, זך and זכאי which were considered above (246 ff.), in their biblical and Rabbinic meanings signify a man who had committed one or several light or grave sins and purified himself,[1] or was purged by God,[2] from his past offences and is now purified, clean from them.[3] To these may be added the proselyte who, in the statement of R. Yosé b. Ḥalaftha, of the middle of the second century, is as pure as the new-born child;[4] as a later scholar explains it, because, when he becomes a proselyte, all his past sins are forgiven. Similarly R. Huna, the Babylonian teacher of the second half of the third century, says in explanation of 1 Sam. 13, 1 of king Saul that God forgave him all his sins and he became (pure) like a child of one year of age that had never tasted sin yet.[5] To these may be joined the Jewish young men who, according to Rabh, have not tasted sin.[6]

When the pious suffers, he knows that God chastises him to cleanse away his sins, and, by searching his memory, he endeavours to become conscious of all of them. As has been shown above (p. 170 ff.), his attitude in trial should be that formulated in the anonymous Baraitha, 'While the body (of the mourner's near relative) is lying before those who

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for the light commandments which they practised before Me', on Dan. 7, 9: כעמר נקא.

[1] Midr. Cant. ed. Grünhut, 5, 16, 41 b of the Synhedrion: רוחצות בחלב, שהיו מלובנין מן החטא ומעולם לא שפכו דם נקי.

[2] R. Abahu, of the second half of the third century, says in Cant. r. 4, 6 that God said to Abraham, Gen. 17, 13, after his circumcision, Should the unclean join the clean? But as that is impossible, God said, I am pure and Abraham is pure, it is meet that the pure should join the pure.

[3] See Threni rab. 3, 25, § 9: ברי לבב, אלו שלבם ברור עליהם שאין בידן עון on Psalm 73, 1; Derekh ereṣ II: ועושי טהרה וברי לבב.

[4] Baraitha Yebam. 48 b bottom: תניא . . . רבי יוסי אומר גר שנתגייר כקטן שנולד דמי; cf. Midr. Samuel 13, 1, XVII, 48 a: מה גר נמחל לו על כל עונותיו; Yer. Bikkur. III, 65 d, 3.

[5] Yoma 22 b; in Yer. Bikkur. III, 65 d 6, and Midr. Samuel XVII, 48 a used by R. Ze'ira in Palestine.

[6] Pesaḥ. 87 a on Psalm 144, 12: אמר רב . . . אשר בנינו כנטיעים, אלו בחורי ישראל שלא טעמו טעם חטא, see p. 364, 2, and Aggad. Cant. 6, 3; 'Erub. 21 b; Derekh. ereṣ II; cf. Synhed. 19 b bottom; Koh. r. 1, 8, 6.

bewail him, the mourner sits in silence, and while they are reading the שמע and reciting the fixed daily prayer, he stands and declares God's justice in inflicting upon him this loss, and says, Master of the Universe, I have sinned much against Thee, and Thou hast not exacted payment from me to the extent of one thousandth part of my sins'.[1] But did the visitation of twenty days in the case of the ancient pious men,[2] their acceptance of God's justice and the acknowledgment of their sins wipe out their transgressions automatically and make the men pure for the world to come? Was no personal participation in the cleansing away of their sins expected of them, since they undoubtedly admitted that even they were not free from transgressions? Not only Amos 4, 6–11 emphasized most forcibly and impressively, but also the other prophets stressed, the lesson that the object of the successive punishments of Israel by God was to induce it to return to Him. And like R. Eliezer R. Joshua said, 'If Israel repent not, they will not be redeemed', and added that God sets up a ruler over them whose decrees are as harsh as that of Haman, and so Israel repent and God makes them good again;[3] did not also the pious men repent of their sins under the stress of their suffering? It is true, the righteous men are most careful and commit only very few sins; but just because they are pious and fully aware of the seriousness of sin and its consequences, every error of theirs is judged by God very strictly.[4] Also the verse, Prov. 27, 21, quoted by R. Yehudah

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[1] Berakh. 19 a: ולא נפרעת ממני אחד מני אלף; the parallel in Semaḥ. X has instead: כמעט מחובותי נגביתי והלא הרבה מכן הייתי שוה, 'Only a small part of my debt has been collected from me, while I have deserved greater punishment.' Cf. R. Meir in Sifré Deut. 6, 5, 32, 73 b, above, p. 330, 3.

[2] See pp. 328 ff.

[3] Baraitha Synh. 97 b; Yer. Ta'an. I, 63 d, 59-63: וישראל עושין תשובה ומחזירן למוטב; Bacher, Tannaiten, I, 138.

[4] In interpreting Is. 58, 1, 'And declare unto My people their transgression, and to the house of Jacob their sins', R. Yehudah b. Ilai, of the middle of the second century, says in Baraitha Baba meṣ. 33 b top, 'And declare unto My people their transgression' refers to the scholars whose errors become for them like wilful sins; 'and to the house of Jacob their

b. Ilai in his statement regarding the visitation of the pious men, 'The refining pot is for silver, and the furnace for gold, and a man is tried by his praise', unmistakably declares that the suffering was sent upon them by God to purify them. So in interpreting Exod. 13, 18, 'But God led the people about, by the way of the wilderness by the Red Sea', R. Eliezer, also says, 'The way', in order to make them tired, as it says, Psalm 102, 24, 'He weakened my strength in the way, He shortened my days'; 'the wilderness', in order to purge them, as it says, Deut. 8, 15, 'Who led thee through the great and dreadful wilderness'; 'the Red Sea', in order to prove them, as it says, Psalm 106, 7, 'Our fathers in Egypt gave no heed unto Thy wonders, &c.'.[1] So the object of God in inflicting trials is to purge man, no doubt, from his sins; but R. Eliezer does not explain in which way and by what means it was achieved. But in his interpretation of Num. 5, 18, 'And he shall put the meal-offering of memorial in her hands', of the woman suspected by her husband of adultery and undergoing the ordeal of the bitter

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sins, 'refers to the unlearned men whose wilful transgressions become for them like errors' (cf. Rashi's explanation). Baraitha Yebam. 121 b relates the rescue of the daughter of Neḥunyah, the digger of pits, from death by drowning; when R. Ḥaninah b. Dosa learnt of the accident, he expressed his conviction that the child of the righteous man will not perish through the thing in which he was engaged professionally and for the good of the public. R. Aḥa, a teacher of the fourth century, adds, Still, his son died from thirst, as Psalm 50, 3, 'And round about Him it stormeth mightily', teaches that God deals with those around Him strictly, to a hair's breadth. R. Ḥaninah infers the same principle from Psalm 89, 8, 'A God dreaded in the great council of the holy ones'; cf. Yer. Shekal. V, 48 d, 33-49; Bacher, Paläst. Amoräer III, 113, and R. Akiba's statement in Lev. r. 27, 1 and parallels. Neḥunyah's terrible visitation, made even greater by the cause of his son's death, directed the attention of the teachers to the sins of the pious man.

[1] Mekhil. Exod. 13, 18, 24 a: ויסב אלהים את העם דרך המדבר ים סוף, רבי אליעזר אומר דרך כדי ליגעם שנאמר ענה בדרך כחי קצר ימי וגו', המדבר כדי לצרפן שנאמר המוליכך במדבר הגדול והנורא, ים סוף כדי לנסותם שנאמר אבותינו במצרים לא השכילו נפלאותיך וגו'. Deut. 8, 15, as far as quoted, contains no reference to purging, and must, therefore, be continued to v. 16, 'that He might afflict thee, and that He might prove thee, to do thee good at thy latter end'.

waters, R. Eliezer says, 'It was done to make her tired, in order that she should repent'.[1] Here purging is not mentioned, but the object of tiring her out is the stirring of repentance; and the same is the purpose of God in sending visitations upon man and is the meaning of His purging the pious men from their sins.

8. In order to establish more definitely the religious signification of the verb צרף used in this connexion by R. Eliezer, full consideration must be given to a statement of Rabh, the Babylonian teacher of the first half of the third century, who, before founding his school in Sura, had for a number of years attended the school of R. Yehudah I in Sepphoris. In explaining Lev. 11, 2, 'These are the living things which ye may eat', he adduced Prov. 30, 5, 'Every word of God is purged' (= purging), and stated, 'The commandments have been given to Israel only to purge by them men, as it says, Psalm 18, 31, He is a shield unto all them that take refuge in him'.[2] In a parallel it is stated, 'As for God, His way is perfect, the word of the Lord is purged, He is a shield unto all them that take refuge in Him', Psalm 18, 31, 'As His ways are perfect, how much more is He Himself perfect; Rabh says, The commandments were given only to purge men by them; for what matters it to God whether one slaughters an animal on the front of the neck or on the back of the neck? so the commandments were given only to purge men by them.'[3] There is yet

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[1] Sifré Num. 5, 18, 11, 5a; Baraitha Sotah 14a bottom; Bacher, Tannaiten, I, 118: כדי ליגעה כדי שתחזור בה.

[2] Lev. r. 13, 3: דבר אחר זאת הבהמה, הדא הוא ·דכתיב כל אמרת ה׳ צרופה, רב אמר לא נתנו המצות לישראל אלא לצרף בהן את הבריות וכל כך למה שנאמר מגן הוא לכל החוסים בו. Psalm 18, 31 reads, The word of the Lord is purged; He is a shield, &c.'; the connexion between the two halves of the verse in Rabh's explanation is difficult to see, unless we add with R. Samuel b. Naḥman in Tanḥ. לך לך 11; B. 14, 'And if they observe the commandments, God is a shield unto them'.

[3] Gen. r. 44, 1: האל תמים דרכו אמרת ה׳ צרופה מגן הוא לכל החוסים בו, אם דרכיו תמימים הוא על אחת כמה וכמה, רב אמר לא נתנו המצות אלא לצרף בהם את הבריות, וכי מה איכפת ליה להקב״ה למי ששוחט מן

another parallel of Rabh's statement on Prov. 17, 3, 'The refining pot is for silver, and the furnace for gold; but the Lord trieth the hearts', Rabh says, 'The commandments were given only to purge Israel by them; as the purifier puts the gold into the crucible and purges it from the dross once, twice and three times, until he brings it to (a state of) purity, so God chastises the righteous men, each according to his strength'.[1] Not only is the biblical passage to which Rabh's statement attached is different from that of the other parallels, but also the explanation following after the verse gives to his statement a totally different meaning. What is in Rabh's words the connexion between the commandments and the interpretation of the verse in this incongruous application of it? Yalkut Makhiri quotes the passage from

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הצואר או מי ששוחט מן העורף, הוי לא נתנו המצות אלא לצרף בהן את הבריות. If the illustration is Rabh's, it is strange that it was not quoted in Lev. r. 13, 3, where it would have been in the proper setting in connexion with the animals permitted or prohibited, as in the Halakhic introduction opening with ילמדנו in Tanḥ. שמיני 7: כך אמר דוד האל תמים דרכו אמרת ה׳ צרופה, בשביל לצרף בריותיו, אמר לו רבי מה אכפת להקב״ה שיאכלו ישראל בלא שחיטה שיהא ישראל נוחר ואוכל ושוחט מן הצואר מן הירך תדע שלא נצטוה השחיטה הזו אלא כדי לצרף את ישראל. Even in this conflated and confusing statement where the illustration might be by Rabh (if we should not rather read: אמרו לו, רבי), it is, as in the previous statement, *the only illustration of the verse quoted.* In the conflated, but clear statement in Tanḥ. שמיני B. 12, 15b no name of any author is given. Now, in Midr. Psalm 18, 31, § 25 the wording is slightly different: האל תמים דרכו, אמר רב לא נתן הקב״ה את המצות אלא לצרף בהן את ישראל שנאמר אמרת ה׳ צרופה, דבר אחר האל תמים דרכו אם דרכו של אל תמים אתה על אחת כמה וכמה וכי מה איכפת לו להקב״ה אם שוחט מן הגרגרת או מן הוושט ואוכל; the sequence of the three statements in this form of the explanation of the verse conclusively proves that in the source of this compiler the illustration was not attributed to Rabh, as was evident already before. Cf. Löwy in MGWJ. 47, 1903, 334, 3.

[1] Midr. Samuel IV, 1, pp. 27a ff.: מצרף לכסף וכור לזהב ובוחן לבות ה׳, אמר רב לא ניתנו מצות אלא לצרוף בהן את ישראל, מה הצורף הזה מכנים את הזהב לכור ומסננו פעם ראשונה שניה ושלישית עד שהוא מעמידו על בוריו כך הקב״ה מייסר את הצדיקים כל אחד ואחד לפי כחו.

Midr. Samuel thus,[1] In commenting on 'The refining pot is for silver, and the furnace for gold, and a man is tried by his praise', Prov. 27, 21, Rabh says, 'Chastisements were given only to purge men by them'.[2] The dross in the gold corresponds with man's sins which are purged away by his repeated passing through the fire of visitations, whereby he becomes free and pure from the impurities of sin, Mal. 3, 3. It should be noted that the verse interpreted by Rabh in the last version of his statement is the same as in the report of R. Yehudah b. Ilai of the chastisement of the ancient pious men. This parallel application of the verse by Rabh would also suggest that their purging by illness did not refer to their intestines only, but also, and mainly, to their sins, and as gold by repeated refining reaches על בוריו, its purity, so the pious men were purged by suffering from all their sins, until they were זכאין, pure. It should further be noted that in his controversy with the Roman governor Tineius Rufus respecting circumcision R. Akiba said to the Roman, 'As to thy question why man is not born circumcised, it is because God has given Israel the commandments only to purge the Israelites by them',[3] so that the idea was already enunciated before the year 135. But as its connexion with R. Akiba's statement may be due to the later Haggadist,[4] it should be noted that in Sepphoris Rabh's younger contemporary and like him R. Ḥiyya's disciple, R. Yonathan b. Eleazar, in reconciling the contradiction between Psalm 19, 9, 'The precepts of the Lord are right, rejoicing the heart', and 18, 31, 'The word of the Lord is purged' = purging, says, 'If a man acts meritoriously, the Torah rejoices him, but if he acts not meritoriously, it purges Him'.[1] His younger contemporary R. Simeon b. Lakish says that the solution is suggested in the verse itself, 'If he acts meritoriously, the Torah purges him for life, but if he acts not meritoriously, it purges him for death'.[2] R. Joshua b. Levi says, 'What is the meaning of Deut. 4, 44, "And this is the law which Moses set, שָׂם, before the children of Israel"? If a man acts meritoriously, the Torah is for him a drug of life, but if he acts not meritoriously, the Torah is for him a poison of death.'[3] In these instances purging means testing thoroughly and severely, and leading up eventually to punishment by God.[4] So also Rabh's statement that the commandments have been given only to purge men by them, according to one context means that God tests the Israelites by them and by visitations. According to the other He purifies them by injunctions which seem to have no evident reason and are prescribed by the will of God to be obeyed; their fulfilment proves the readiness of the Israelite to submit to His order, though not intelligible, and to purge away from his heart every vestige of criticism and resistance, that is, the evil inclination.[5]

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[1] Prov. 27, 21, 70 b: מצרף לכסף וכור לזהב ואיש לפי מהללו, אמר רב לא ניתנו ייסורין אלא לצרף בהם את הבריות . . Cf. Midr. Tann. Deut. 15, 11, 84 ff.

[2] Cf. Pesikt. rab. 43, 181 a, where the same statement is followed, without Rabh's saying, by מה הצורף taken from Midr. Samuel; so that it would appear that Midr. Samuel, as the compiler of Pesikt. rab. knew it, did not include here Rabh's statement.

[3] Tanḥ. תזריע 5; B. 7. Cf. Yelamdénu לך לך 32, Grünhut, ספר הלקוטים VI, 48 b; Tanḥ. לך לך 17; Yalkut Makhiri Psalm 18, 65: אמר לו הנה בריתי אתך, הוי אמרת ה׳ צרופה, שצירף את עצמו ואת זרעו בברית מילה לפיכך מגן הוא לכל החוסים בו, לישראל שהן חוסין בו, Abraham purged himself and his descendants by the covenant of the circumcision. The statement is based on Psalm 18, 31.

[4] Bacher, Tannaiten, I, 293, 3. In Mekhil. R. Simeon Exod. 19, 18, 100 bottom: כך דברי תורה בודקין את בני אדם וכן הוא אומר אמרת ה׳ צרופה, הא לא ניתנו מצוות אלא לצרוף בהן דעת הבריות.

As in the application of Rabh's saying in Midr. Samuel IV, 1 the chastisements sent by God purge the righteous men, so did the visitation of the ancient pious men cleanse them from their sins, so that they became pure for the world to come. When R. Eliezer b. Hyrkanos died, R. Eleazar b. ʻAzaryah who had been with him up to his death came out to his fellow-scholars who had been waiting outside, and said, ʻ Masters, come in and see that R. Eliezer is pure for the world to come, as his soul has departed in purity ʼ.[1] The words are exactly the same as used by R. Yehudah b. Ilai of the ancient pious men, only זכאין is replaced by the more definite synonym טהור; and as in the case of R. Eliezer who died while under the ban imposed upon him for his public opposition to the decisions passed by the central religious authority in Jamnia, the death in purity meant free from that sin, so also the pious men departed this life purged from their few sins.[2] That connotation of זכאי is also evident in a statement of R. Yehudah b. Ilai in the Baraitha, ʻ From what time may we recite the שמע in the evening? R. Meir says, From the time when men go in to eat their bread in the night of the Sabbath; the scholars say, From the time when the priests are זכאין to eat their heave-offering.ʼ[3] Just as the parallel

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[1] Yoma 72 b: אמר רבי שמואל בר נחמני רבי יונתן רמי, כתיב פקודי ה׳ ישרים משמחי לב וכתיב אמרת ה׳ צרופה, זכה משמחתו לא זכה צורפתו, ריש לקיש אמר מגופיה דקרא נפקא, זכה צורפתו לחיים לא זכה צורפתו למיתה, Bacher, Pal. Amoräer I, 76.

[2] Rashi explains the last sentence thus: If the word of God is not obeyed, it purges man by chastisements and by Hell.

[3] Bacher, Pal. Amoräer I, 137; Tannaiten, II, 540, 3.

[4] Cf. R. Aḥa in Ruth rab. 1, 1: הריני מייסרן בייסורים ומצרפן ברעבון.

[5] Cf. Aggad. Cant. 1, 15, line 496: מושלין ביצרן לעשות רצון קוניהם and Naḥmani on Deut. 22, 6, above, p. 60.

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[1] ARN, XXV, 41 a: באו וראו ברבי אליעזר שטהור הוא לעולם הבא; Yer. Shabb. II, 5 b, 69; החלוץ XI, 1880, 73 ff.; cf. the statement concerning R. Akiba, when he died a martyr, in Jellinek, בית המדרש 6, 27: אשריך רבי עקיבא שגופך טהור ויצתה נשמתך באחד בטהרה ומזומן אתה לחיי העולם הבא, cf. Krauss in השלח 44, 1925, 229.

[2] Different is the meaning of זכה in Baraitha Berakh. 28 b: When R. Eliezer was ill and his disciples went to visit him, they said to him, ʻ Master, teach us the paths of life ונזכה בהן לחיי העולם הבא, that by them we may merit the life of the world to come ʼ. There is no question of their purging from sins, but of active walking in the straight way of life and of acquiring thereby the hope of eternal life. Cf. R. Yannai in Shabb. 114 a bottom.

[3] Tos. Berakh. 1, 1; Baraitha Berakh. 2 b: מאימתי קורין את שמע בערבין, משעה שבני אדם נכנסין לאכול פיתן בלילי שבתות דברי רבי מאיר וחכמים אומרים משעה שהכהנים זכאין לאכול בתרומה. The opponent of R. Meir, who represented the view approved by the majority of the scholars, was R. Yehudah. The same adjective is used of priests in the Baraitha Pesaḥ. 59 b: If the fat parts of the peace-offering were

Mishnah Berakh. 1, 1, so this Baraitha refers to priests who contracted a levitical defilement lasting till the evening of the same day and were thereby disqualified from eating of their heave-offering, and who, after their purifying immersion in the evening, had to wait for their complete purification till nightfall, Lev. 22, 6. 7. What is the meaning of זכאין in this context? Certainly not, as in other instances, 'they have the right and privilege', as in fixing the exact time no privilege is in question; but it is identical with טָהֵר in the relevant law in Lev. 22, 7, and is the Hebraized form of the Aramaic דכי which renders that term in the Targum. That is borne out forcibly by the parallel Baraitha[1] which records a dispute on the same question of a generation earlier, 'From what time may we begin to recite the שמע in the evenings? R. Eliezer says, From the time when on the Friday the Sabbath becomes sanctified; R. Joshua says, From the time when the priests are purified to eat of their heave-offering; R. Meir says, From the time when the priests immerse for their heave-offering.' Here R. Joshua uses, instead of זכאין in the statement of his disciple, the unambiguous מטוהרים. While R. Yehudah employed זכאי in the Baraitha on the purification of the priests in a levitical sense, the school of R. Ishmael in

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levitically defiled or were lost, we might think לא יהו כהנים זכאין בחזה ושוק, that the priests should not be זכאין concerning its breast and its thigh, Lev. 7, 30-34. Another Baraitha there and in Sifra Lev. 7, 30, 39 d states: We might think that the priests רשאין (זכאים) בחזה ושוק, are permitted to have the breast and the thigh of the peace-offering before its fat parts are burnt (upon the altar). Evidently זכאין in the first Baraitha means the same as רשאין in the second. So also in Shabb. 23, 3: כלל אמר אבא שאול כל שאני זכאי באמירתו רשאי אני להחשיך עליו, Abba Saul stated it as a rule that whenever it is permitted on the Sabbath to give an order (to be carried out after the outgoing of the Sabbath), it is permitted on the Sabbath to wait at the end of the permitted distance for the outgoing of the Sabbath (to do some work). זכאי is the synonym of רשאי in the two parts of the statement. See also Zebaḥ. 12, 2; Baraitha 103 a.

[1] Berakh. 2 b: ורמינהי מאימתי מתחילין לקרות שמע בערבין, משעה שקדש היום בערבי שבתות דברי רבי אליעזר, רבי יהושע אומר משעה שהכהנים מטוהרים לאכול בתרומתן, רבי מאיר אומר משעה שהכהנים טובלין בתרומתן.

the Baraitha states,[1] 'The right rule to be followed is: it is better that a זכאי shall atone for a חייב, and not a חייב atone for a זכאי'. On the Day of Atonement the high-priest offered up a sin-offering for himself and his house, Lev. 16, 6, and was thereby first cleansed himself from his sins; being now pure from sin himself, he proceeds to repeat the atonement by the same sin-offering for himself and for his house, Lev. 16, 11, that is, himself and all the priests. Though no judgment of any kind is involved here, the school of R. Ishmael used here the forensic term חייב which elsewhere means guilty or liable, as a contrast with זכאי denoting 'purified from sin', to express the religious state of the high-priest when not yet cleansed from his sins.[2] Sometimes the term is employed in the sense of free from sin in contrast with the sinner; so in an anonymous statement, most probably belonging to R. Akiba, concerning the five men who receive no forgiveness (from God), one being he who sins in a sinless generation.[3] Similarly in another anonymous explanation of the prohibition to wear a garment of mingled stuffs in Lev. 19, 19; Deut. 22, 11, by the offering of Cain and Abel, Gen. 4, 'God said, It would not be right that the offering of the sinner, flax, be mingled with the offering of the sinless, with wool; that is why the mingling of the two materials is prohibited in Deut. 22, 11'.[4]

The object of suffering sent by God upon man is to bring him into the right path, as R. Akiba proved to his master R. Eliezer from king Manasseh's case in 2 Chron. 33, 11. 12, whom all the instruction of his father Ḥezekiah had not succeeded in moulding into a man of proper conduct, but only chastisements inflicted by God had that effect.[1] And again R. Akiba declared that visitations obtained for man the forgiveness of sins,[2] and, according to R. Neḥemiah, atonement.[3] As has been shown (p. 337 ff.), only repentance of any sin committed opens the way to a return to right actions; and that is the natural and only way which was clearly described already in Is. 55, 6, 'Seek ye the Lord while He may be found, call ye upon Him while He is near; (7) let the wicked forsake his way, and the man of iniquity his thoughts; and let him return unto the Lord, and He will have compassion upon him, and to our God, for He will abundantly pardon.'[4] Suffering should lead man to self-inspection and to the closest search of his past actions, to the admission of errors and wilful transgressions, and to prayer for forgiveness. On Prov. 28, 13, 'He that covereth his trangressions shall not prosper', R. Simeon b. Ḥalaftha, of the end of the second century, says, 'This is like the robber who is being tried before the questionarius; so long as he contradicts, he is beaten, but when he confesses, he receives his punishment. With God it is different: so long as the sinner does not confess, he is punished, but is discharged as soon as he has confessed, as it says, But whoso confesseth and forsaketh them shall obtain mercy.'[5] In the same way the suffering of the ancient pious men, accompanied by their self-inspection and confession, scoured away all their sins in about twenty days before their death. This interpretation of their prolonged illness and of the characteristic term מרק for the cleansing of sin is supported by the well-known statement of R. Ishmael concerning the various ways of atonement for sins.[1] 'R. Matthia b. Ḥarash asked R. Eleazar b. 'Azaryah in Rome, Hast thou heard of the four different ways of atonement which R. Ishmael deduced from the Bible? He replied, They are three, and repentance is with everyone of them, (1) If he transgressed a positive commandment (by not fulfilling it) and repents (at once), God forgives[2] him, before he leaves his place, as it says, Jer. 3, 22, Return, ye backsliding children, (I will heal your backslidings).[3] (2) If he transgressed [deliberately] a prohibition and repents at once, his repentance suspends (the punishment to be executed by God), and the coming Day of Atonement atones for the sin, as it says, Lev. 16, 30, For on this day He shall atone for you . . . from all your sins. (3) If he transgressed [deliberately] a prohibition the penalty of which is cutting off or death inflicted by a court of justice, and he repents, his repentance and the Day of Atonement suspend (the punishment), and visitations cleanse it (the sin) away, as it says, Psalm 89, 32, If they profane My statutes, and keep not My commandments, (33) then will I visit their transgression with the rod, and their iniquity with strokes. (4) But if he profaned God's name, there is no power in his repentance to suspend the punishment, nor in the Day of Atonement to atone for the sin, nor in suffering to cleanse it away, but all of them together suspend the punishment, and death cleanses the sin away, as it says, Is. 22, 14, And the Lord of hosts revealed Himself in mine ears: Surely this iniquity shall not be expiated by you till ye die.' From these rules of R. Ishmael there follow several definite observations, (1) if a man has committed a sin against any of the commandments of the Torah, even if only a positive one, no atonement and forgiveness will be granted to him by God unless he has repented, (2) and even chastisements inflicted by God do not purge away the sin without repentance.

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[1] Shebu'ōth 14 a: תנא דבי רבי ישמעאל כך היא מדת הדין נוהגת מוטב יבא זכאי ויכפר על החייב ואל יבא חייב ויכפר על החייב.

[2] Cf. Pesikt. rab. 45, 186 a: אילו ישראל שהן זכאין ביום הכפורים ופורטים עונותיהם ופשעיהם והקב"ה נושא את עונותיהם . . .

[3] ARN, XXXIX, 58 b: חמשה אין להם סליחה . . והחוטא בדור זכאי . .; Bacher, Tannaiten, I, 279, 4.

[4] Tanḥ. בראשית 9; Yelamdénu, בראשית 35, Grünhut, ספר הלקוטים VI, 14 b: ואמר הקב"ה אינו דין שיתערב מנחת החוטא עם מנחת הזכאי לפיכך נאסר שעטנז.

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[1] Synh. 101 a ff.; Sifré Deut. 6, 4, 32, 73 b; above, p. 186 ff.

[2] Mekhil. Exod. 20, 23, 72 b; Sifré Deut. 6, 5, 73 b.

[3] Ibid.

[4] See above, pp. 186-88.

[5] Pesikt. 159 a. Bacher, Tannaiten, II, 534, 3, refers to the parallel in Tanḥ. וישב B. 11: R. Simeon b. Ḥalaftha says, God said to Jerusalem, Why have I brought upon thee all these punishments? because thou saidst, I have not sinned, Jer. 2, 35.

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[1] Baraitha Yoma 86 a; Yer. VIII, 45 b, 70; Tos. 5, 6; Mekhil. Exod. 20, 6, 68 b ff.; ARN, XXIX, 44 b: שלשה הן ותשובה עם כל אחד ואחד (1) עבר על עשה ושב איננו זז משם עד שמוחלין לו שנאמר שובו בנים שובבים, (2) עבר על לא תעשה ועשה תשובה תשובה תולה ויום הכפורים מכפר שנאמר כי ביום הזה יכפר עליכם מכל חטאתיכם, (3) עבר על כריתות ומיתות בית דין ועשה תשובה תשובה ויום הכפורים תולין וייסורין ממרקין שנאמר ופקדתי בשבט פשעם ובנגעים עונם, (4) אבל מי שיש חילול השם בידו אין לו כח בתשובה לתלות ולא ביום הכפורים לכפר ולא ביסורין למרק אלא כולן תולין ומיתה ממרקת שנאמר ונגלה באזני ה׳ צבאות אם יכפר העון הזה לכם עד תמותון. Bacher, Tannaiten, I, 250. Cf. R. Yoḥanan in Berakh. 5 a bottom, and Büchler, Types, 111 ff.

[2] The plural, as in the instances quoted before, stands for God. In Baraitha Makk. 13 a.b R. Akiba has instead of the plural: שאם עשו תשובה בית דין של מעלה מוחלין להם, 'If they repent, the court of heaven forgives them'; and in the continuation he says, שאם עשו תשובה אין בית דין של מטה מוחלין להם, the court on earth forgives them not.

[3] As Rashi explains it: As healing follows immediately after repentance, they are sins that are atoned for by repentance only.

Repentance, however, is possible only, if the person suffering had either become conscious of his transgression immediately after the commission of the sin, or it was recalled to his memory later either by some incident or under the stress of the visitation sent by God. A man of the type of R. Eliezer b. Hyrkanos who in his illness and suffering declared to R. Akiba that he had ever observed the Torah and was not conscious of any sin, it is clear, could not have repented of any. On the other hand, in the reply of R. Akiba to his suffering teacher his pains indicated that he had previously committed some sins; consequently, he could obtain God's pardon only by searching his memory and, after establishing in him some definite violations of God's will, by repenting of them. According to R. Ishmael the suffering inflicted by Him cannot alone blot out the sin, but must be supported by repentance, and in the definite words of R. Joshua to R. Eliezer and of other teachers, such is to be stirred by the visitation. Dr. Glazebrook, it is true, asserts[1] that it is the Jewish view, 'He inflicts punishment; and when the punishment is sufficient to balance the offence, atonement is complete, without repentance being required of the sinner.' But the learned theologian did not deem it necessary to support his assertion by one single Rabbinic statement bearing on the subject; had he noticed even R. Ishmael's four rules only, he would have easily seen that in the views of that teacher and of R. Eleazar b. ʿAzaryah even with suffering repentance was essential for obtaining atonement. It may be useful to add here the warning of R. Eliezer, 'Turn back a day before thy death'; when his disciples asked him whether a man knew the day of his death to be able to act upon that warning, he said, 'All the more should he repent to-day, as he may die to-morrow, repent to-morrow, as he may die after to-morrow, and the result will be that he will have repented all his days; and also Solomon said in his wisdom, Eccl. 9, 8, Let thy garments be always white, and let thy head lack no oil'.[1] From the words of R. Ishmael we further learn that sin is not a levitical impurity, as the means of purification are repentance and chastisements sent by God. In one case the latter ממרקין the grave sin, in the other death ממרקת the gravest offence of the profanation of the name of God. The exact meaning of מרק is evident from the fact that in R. Ishmael's view the effect of מרק is the same as of כפר and מחל, that is, wipe away the sin completely, so that God's forgiveness is granted immediately after it. This is also clear from the Baraitha[2] on Lev. 7, 7, 'As is the sin-offering, so is the guilt-offering', 'Just as the sin-offering atones for, and wipes off, (the sin) completely, so the guilt-offering atones for, and wipes off, (the sin) completely; excepted is the guilt-offering for a doubtful sin, as it atones for, but leaves over (a part of, the sin)'. Here the object of מרק is the same as of כפר, namely sin, exactly as in R. Ishmael's statement; and מרק is explicitly added in Rabha's, the Babylonian teacher's private prayer,[1] 'And the sins which I have committed before Thee wipe away in Thy great mercy, but not by means of chastisements and sore diseases', and in the answer given to one of his disciples by R. Abahu, in the second half of the third century, about Ezek. 4, 46,[2] 'God chastised Ezekiel in order to wipe away the sins of Israel.'[3]

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[1] Journal of Theological Studies 20, 1919, 112. 113 ff.

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[1] Abōth 2, 10; Shabb. 153 a; Kohel. rab. 9, 8; ARN, 15, 31 b; 2 ARN, 29, 31 b; Bacher, Tannaiten, I, 97, 1: ושוב יום אחד לפני מיתתך; in ARN, R. Yehudah b. Ilai quotes it משום רבי אליעזר הגדול. The verse adduced in support rightly suggested to Rashi the explanation: 'thy garments white', mean: thy soul clean and pure. It teaches that sin soils the soul, and repentance purifies the soul from sin. The white colour expresses freedom from sin. See above, p. 236.

[2] Yer. Horay. II, 46 d, 54 on Lev. 7, 7: כחטאת כאשם, מה חטאת מכפרת וממרקת אף אשם מכפר וממרק, יצא אשם תלוי שהוא מכפר ומשייר.

9. In order to cleanse the righteous man from his few sins, God, by inflicting suffering upon him, stirs more intense repentance in his heart and is thereby induced to forgive his transgressions. In interpreting the apparent contradiction between the positive infinitive and the negative imperfect tense of the verb in ונקה לא ינקה, Exod. 34, 7, R. Akiba says that the first refers to sins committed by man against God, and the second to his sins against the fellow-man;[4] ben-'Azzai[5] says that God cleanses the repentant,

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[1] Berakh. 17 a: ומה שחטאתי לפניך מרק ברחמיך הרבים אבל לא על ידי ייסורין וחלאים רעים, see Büchler, Types 111 ff.

[2] Synh. 39 a bottom: אף כך הקב״ה מייסר את יחזקאל כדי למרק עונותיהם של ישראל. In Gen. r. 69, 5: (וממרקין) לך מן חוביך the first word is not found in Theodor's text, nor in the parallel passage in Gen. r. 41, 9, p. 396. See also Levy, NHWB, 3, 259 b; Kohut, 'Aruch, s.v. מרק, V, 260 b.

[3] In Synh. 39 b R. Eleazar b. Pedath, of the second half of the third century, interprets והזונות רחצו in 1 Reg. 22, 38 as meaning: למרק שתי חזיונות, to clear up the two prophecies in 1 Reg. 22, 28 of Mikhayhu, and in 1 Reg. 21, 19 of Elijah; see Rashi and Bacher, Pal. Amoräer II, 71 ff. R. Eleazar renders רחץ by מרק.

[4] Sifré zuta Num. 6, 27, 50 Horovitz: רבי עקיבה אומר כתוב אחד אומר ונקה וכתוב אחד אומר לא ינקה וכי היאך אפשר לקיים שני כתובים הללו, אלא ונקה בדברים שבינך לבינו, לא ינקה בדברים שבינך לבין חבירך, מיכן היה בן עזאי אומר ונקה לא ינקה מנקה הוא ואינו מנקה מנקה לשבים ואינו מנקה למחזיקים.

[5] Anonymous in Mekhil. Exod. 20, 7, 68 b bottom, R. Eleazar in Tos. Yoma 5, 9; in Baraitha Yoma 86 a in five manuscripts in Rabbinovicz R. Eliezer.

but does not cleanse those who hold fast to their sins. The otherwise evident condition of forgiveness that the repentant sinner gives up his wrong and sinful practice and turns into the right way [1] is to be preceded or followed by a confession of the sin committed. The importance assigned to confession generally is evident from the statement [2] that persons executed for a crime have a share in the world to come, because they confessed all their sins. When once they called on a man about to be stoned to confess, he said, May my death be an atonement for all my sins, and if I committed this crime (for which I am to die), may it not be forgiven to me. It is related how the high court in Jerusalem, in order to induce the woman suspected of adultery and about to undergo the ordeal of the bitter waters to confess her guilt, told her some incidents from early writings,[3] instances of confession made and the great effect of every one of them: Judah in Gen. 38, 26 was not ashamed to confess and in the end he inherited the world to come; and Reuben confessed without shame and inherited the world to come. And as is evident especially from Psalm 32, 5, 'I acknowledged my sin unto Thee, and mine iniquity have I not hid; I said, I will make confession concerning my transgressions unto the Lord, and Thou, Thou forgavest the iniquity of my sin', so the object of the visitation sent by God is to induce the sufferer to examine and search his past for sins and, when he has established some, to confess them to himself and to God, and thereby to be cleansed from his transgressions and be granted forgiveness. As R. Akiba explained, the sins of man are committed either against God or against one's fellow-man and are judged by Him differently. In interpreting Lev. 16, 30, R. Eleazar b. 'Azaryah says that for transgressions against God the Day of Atonement atones, but for sins against the fellow-man the Day of Atonement atones only when the sinner has conciliated his fellow-man.[1] As in R. Ishmael's statement concerning the four ways of atonement for sins of various degrees, so also in R. Eleazar's, atoning force is attributed to the Day of Atonement; but the identical verse adduced by both teachers as support does not ascribe that effect to the Day, but to God Himself before whom the high-priest makes atonement by the sin-offering of the people on the Day of Atonement. And it is instructive that the parallel statement of R. Eleazar has, 'Sins between thee and God He forgives thee, but sins between thee and thy fellow-man He forgives not to thee until thou hast conciliated thy neighbour'.[2] Instead of stating as definitely as here that it is God that pardons sins, specially on the Day of Atonement, the scholars briefly, but misleadingly for those unfamiliar with their unambiguous teachings, said that the Day of Atonement atoned for sins. An instructive and decisive illustration is the statement of R. Yosé b. R. Yehudah,[3] of the second half of the second century; he said, 'If a man sins once, twice or three times, God forgives him, but the fourth time He forgives him not, as it says, Exod. 34, 7, "Forgiving iniquity and transgression and sin, and cleansing", so far He cleanses, beyond that He cleanses not'. He puts the verb by which he renders the biblical term into the plural for the singular which in the verse refers to God; and as he renders נקה by מוחלין, we learn that the biblical word was understood to mean forgive and that it is God who pardons man's sins. In the anonymous statement, quoted above and belonging most probably to R. Akiba, it says, 'No pardon is granted to five persons, to him who repents too much, sins too much, sins in a sinless generation, sins with the idea to repent, and to him who profanes the name of God'.[1] We learn at the same time that, when God grants forgiveness, he first cleanses man from his sins, נִקָּה, or declares him purged from them.

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[1] Prov. 28, 13, 'He that covereth his transgressions shall not prosper, but whoso confesseth and forsaketh them shall obtain mercy; Ezek. 3, 21; 18, 21, But if the wicked turn from all his sins that he hath committed, and keep all My statutes, and do that which is lawful and right, he shall surely live, he shall not die'; Is. 55, 7. In Psalms of Solomon 9, 12, 'God will cleanse the soul that hath sinned, if it make confession and acknowledgment'. The Greek text has: in sins, in confession, in acknowledgment.

[2] Tos. Synh. 9, 5; Yer. VI, 23 b, 62; b. 44 b; Mishnah 6, 2, see p. 334.

[3] Baraitha Sotah 7 b; Yer. I, 16 d, 62; Sifré Num. 5, 19, 12, 5 a bottom; cf. Kohler in J.Q.R. 5, 1893, 400 ff.; Ginzberg in Journal of bibl. literature, I, 1922, 119 ff.

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[1] Yoma 8, 9; Sifra Lev. 16, 30, 83 a bottom: את זו דרש רבי אלעזר בן עזריה מכל חטאתיכם לפני ה׳ תטהרו, עבירות שבין אדם למקום יום הכפורים מכפר עבירות שבין אדם לחברו אין יום הכפורים מכפר עד שירצה את חברו.

[2] Sifra Lev. 16, 30, 83 a bottom: דברים שבינך לבין המקום מוחלים לך דברים שבינך לבין חבירך אין מוחלים לך עד שתפייס את חבירך; the plural, as p. 346, note 2, stands for God.

[3] Tos. Yoma 5, 13; Baraitha Yoma 86 b: רבי יוסי ברבי יהודה אומר חטא אדם פעם ושתים ושלש מוחלין לו ארבע אין מוחלין לו שנאמר נושא עון ופשע וחטאה ונקה עד כאן הוא מנקה מכאן ואילך אינו מנקה . . .

Another statement of R. Akiba, in which the idea of God's cleansing of Israel from sins appears, at first sight seems to be derived from the verse interpreted, and it might be thought doubtful whether the concept existed apart from it. R. Akiba deduced from Lev. 16, 30 the teaching, 'Happy are ye, Israel! before whom are ye cleansing yourselves, and who cleanses you? your Father in heaven, as it says, Ezek. 36, 25, "And I will sprinkle clean water upon you, and ye shall be clean"; (R. Eliezer said,) It says, Jer. 17, 13, "מקוה of Israel is the Lord", just as a bath of gathered water purifies the levitically unclean persons, so God purifies Israel.'[1] The statement, addressing Israel directly, was evidently taken from an exposition delivered by R. Akiba on, or referring to, the Day of Atonement, and therein he explained that every Israelite had the power and the means to purify himself from his sins; in his discourse he developed that idea before his audience, no doubt, more fully and described the way in which the purging was to be effected.[2] One essential detail of the method may be inferred from R. Akiba's controversy with R. Yehudah b. Babha. In referring to Exod. 32, 31, 'Oh, this people have sinned a great sin, and have made them a god of gold', R. Yehudah said that on the Day of Atonement in the confession of the sins committed in the course of the past year the sins have to be named individually and explicitly, while on Psalm 32, 1, 'Happy is he whose transgression is forgiven, whose sin is covered', R. Akiba held that the offences should remain unnamed.[3] But there was no difference of opinion between them as to the duty of every Jew to confess his sins on the Day of Atonement. It seems to have been instituted soon after the destruction of the second Temple, when the confessions of the high-priest, spoken on that day in the forecourt of the Temple over the sin-offerings and the scape-goat on behalf of the priests and the whole nation, were transferred to the synagogue and to the individual; as already in Psalm 106, 6, and Dan. 9, 5, such confessions of the people's sins were in general terms made outside the service in the Temple.[1] To the rule of an unnamed Tanna, according to which the confession should be included in every one of the obligatory prayers of the day[2] and even in the evening prayer, R. Ḥaninah b. Gamaliel in the name of his fathers adds that the latter should be the ordinary weekday prayer. And as by his fathers was meant not only R. Gamaliel II, but possibly also his grandfather R. Simeon b. Gamaliel I in Jerusalem before the year 70, the confession in the prayers, with the repetition of which R. Ḥaninah agrees, may have originated already in Jerusalem.[3] The confession was not a mere formal recital, but was coupled with repentance, as is evident from a prayer ascribed by an unnamed teacher to the Israelites in the desert.[4] 'Other teachers say, The Israelites besought, and prayed to, their Father in heaven; as a son beseeches his father and as a disciple rolls (?) himself (in the dust) before his master, so the Israelites besought their Father in heaven, and rolled themselves (in the dust) before Him and said, Master of the Universe, we sinned before Thee when we murmured by the Red Sea'. The confession of the special sin is preceded by genuine self-abasement before God in humble and contrite prayer for forgiveness. And in the moving account of the repentance of Eleazar b. Dordayah the inveterate immoral sinner is convinced that God would not receive him, if he repented,[5] which means that he actually repented. When he still decided to approach

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[1] ARN, XXXIX, 58 b; Bacher, Tannaiten, I, 279, 4: חמשה אין להם סליחה המרבה לשוב ומרבה לחטוא והחוטא בדור זכאי וחוטא על מנת לשוב וכל מי שיש בידו חילול השם. A very characteristic, though late statement about the effect of repentance deserves mention here. In commenting on ועשיתם, used with reference to the additional sacrifice on the Feast of the New Year in Num. 29, 2, instead of the regular והקרבתם in connexion with the other festivals, R. Yiṣhak, of the last quarter of the third century, says in Pesikt. rab. 40, 169 a, 'God said to the Israelites, Repent on these ten days from the New Year to the Day of Atonement, ואני מזכה אתכם ביום הכפורים ובורא אתכם בריה חדשה כענין שנאמר ויעש אלהים את הרקיע וגו׳, and I shall declare you free from sin, and create you as a new creature; ... and if you repent in connexion with the additional sacrifices and you come before Me on the Day of Atonement, even if your sins should reach from earth to heaven, &c., אני מלבינם כשלג, וכן אמר להם הנביא רחצו וגו׳, I shall make them white as snow, as the prophet, Is. 1, 16, told them, Wash yourselves, cleanse yourselves, &c.'. And in Yer. Rosh haShan. IV, 59 c, 60 R. Yosé b. Keṣartha, in Lev. rab. 29, 12; Pesikt. 155 b R. Thaḥlifa of Caesarea (Bacher, Paläst. Amoräer II, 261, 8; III, 596), in interpreting the same ועשיתם says, God said to the Israelites, When you have entered to be judged before Me on the New Year and have gone out in peace, I account it to you as if I had created you anew. Cf. R. Berekhyah in Gen. r. 39, 11, and Exod. r. 15, 6.

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[1] Yoma 8, 9: אמר רבי עקיבא אשריכם ישראל לפני מי אתם מיטהרים ומי מטהר אתכם אביכם שבשמים שנאמר וזרקתי עליכם מים טהורים וטהרתם, ואומר מקוה ישראל מה מקוה מטהר את הטמאים אף הקב"ה מטהר את ישראל. The last part interpreting Jer. 17, 13 belongs, according to Pesikt. 157 b; Bacher, Tannaiten, I, 106, 1, to R. Eliezer.

[2] See Oppenheim in בית תלמוד 2, 1882, 354.

[3] Baraitha Yoma 86 b; in Yer. VIII, 45 c, 48, b. Bethera.

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[1] Cf. Pesikt. rab. 35, 160 b top.

[2] Baraitha Yoma 87 b ff.

[3] In the Baraitha Yer. Yoma VIII, 45 c, 33 the statement of R. Eliezer concerning the confession of sins confessed in the preceding year presupposes that the offences were enumerated explicitly and one by one. In the parallel Baraitha in Yoma 86 b the author is R. Eliezer b. Jacob who lived in Galilee in the middle of the second century.

[4] Mekhil. Exod. 15, 25, 45 b bottom; Mekhil. R. Simeon Exod. 15, 25, 73 : אחרים אומרים היו ישראל מתחננים ומתפללין לפני אביהם שבשמים כבן שהוא מתחנן לפני אביו וכתלמיד שמתגדר לפני רבו כך היו ישראל מתחננין ומתגדרים לפני אביהן שבשמים ואומרים לפניו רבונו של עולם חטאנו לפניך שנתרעמנו על הים.

[5] See the reading אמר in Rabbinovicz.

God, he asked the mountains and the hills, heaven and earth, sun and moon, and stars and planets to pray for him, and when all of them declined to intercede for him, he said, The matter depends on me alone; and he put his head between his knees and cried out in weeping, until his soul departed, when a heavenly voice was heard saying, Eleazar b. Dordayah is destined for the world to come.[1] Though neither confession nor repentance is expressly mentioned in connexion with either prayer, the words 'we sinned' in the first, and 'He said, God will not receive me in repentance', in the other, make it clear that prayer and self-abasement in both imply, as it is explicitly stated in the first, the naming of the sin in question and the most genuine repentance of it. The granting of the world to come to Eleazar after his prayer presupposes that his sins were forgiven to him, that his supplication had removed them and cleansed him, and that the purging had been achieved by his repentance of the grave offence, immorality, named which was specially degrading in a student of the Torah.

So according to R. Akiba the Israelites cleanse themselves on the Day of Atonement by reviewing their wrong actions of the past year, to be able to confess their sins in general terms and thereby to purge themselves from the uncleanness of their violation of God's commandments. While searching their hearts to become consious of their recent sins the Israelites are cleansing themselves before God, in His presence and in His sight, and they know that their confession and their repentance are watched by Him and are acceptable to Him. Will He regard their strenuous efforts of purging themselves before Him as sufficient for granting them His forgiveness? According to R. Akiba the Israelite purges himself 'before his Father in heaven'; as the Father of His children He, in our assurance, will readily and gladly forgive His children, for they confess and repent before Him. R. Akiba adds that, beside our purging ourselves from our sins, God cleanses us as our Father in heaven. As he based his idea on Lev. 16, 30, 'to cleanse you, from all your sins shall ye be clean before the Lord', it is, at first sight, not clear what the purpose of his reference to Ezek. 36, 25, was; was it perhaps not agreed between scholars that the subject of 'to cleanse' was God?[1] For also R. Eliezer's proof from Jer. 17, 13 was intended to show that it is God who cleanses Israel. And it is specially interesting that in his illustration he proceeded from the levitical purification by an immersion in levitically proper water and inferred therefrom that in the same way God cleanses Israel;[2] and he perhaps emphasized as against the view of R. Akiba that God alone cleanses the Israelites from their sins, and He is the subject of 'to cleanse'. Similarly R. Akiba adduced Ezek. 36, 25, to show that the subject of the infinitive 'to cleanse' is God and that He purifies the Israelite on the Day of Atonement from his sins.

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[1] Baraitha 'Abod. zar. 17 a; see above, p. 304 ff.

10. For the Rabbinic concept of the cleansing of sin special consideration has to be given to the striking teaching

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[1] See above, pp. 262 ff. In Cant. rab. 1, 2 b, 3, in an anonymous statement we find: Just as water cleanses man from a levitical impurity, Ezek. 36, 25, so the Torah cleanses the impure from his impurity, Psalm 12, 7. Cf. Ginzberg in Jewish Encyclopedia I, 307 b ff., REJ 66, 1913, 303, 1.

[2] Later Haggadists expressed the same thought, so in Aggad. Genesis, 83, 159 Buber on Gen. 49, 4: Just as water cleanses all, so thou, Reuben, shalt be cleansed from thine iniquities, when he who will have been saved from the water, Moses, will come and absolve thee. In Tanḥ. ויחי B. 12 R. Nathan says, Thou hast left for thyself a sin only as water: just as water cleanses, so thou hast been cleansed; Bacher, Palaest. Amoräer III, 103, 2. In Yalkut Cant. 4, 13, 'A fountain of gardens', for God will once cleanse Israel from their sins. In Tanḥ. כי תבא 3; Cant. r. 1, 2 b, 3, 'Just as the world cannot exist without water and man cleanses himself with it, so the world cannot exist without the Torah which teaches us how to become pure. Cf. Pesikt. r. 20, 95 b and 203 a; Tanḥ. האזינו 1. In Gen. r. 39, 11: Just as a pool purifies the unclean man, so thou, Abraham, shalt bring near those distant and purify them for their Father in heaven. Note that here the idolatry of the heathen and his immorality are removed by his adoption of monotheism, cf. Abrahams, Studies in Pharisaism, I, 1917, 41. See also Gen. r. 99, 8: אם יטעו בהלכה תהא מתכבסת בתחומו, 'Should the tribe of Judah err in a law, the error shall be washed within his tribe', in the chamber of hewn stones in the Temple where the Synhedrion met (D. Luria).

of a disciple of R. Akiba, R. Meir, of the middle of the second century, who seems to have often repeated the statement in the form of a warning addressed by God to the Jew. 'Resolve with all thine heart and with all thy soul to know My ways, and to watch at the doors of My Torah; guard My Torah in thine heart, and let My fear be before thine eyes; guard thy mouth from all sin, and cleanse thyself and sanctify thyself from all trespass and iniquity, and I shall be with thee everywhere'.[1] The ultimate goal of this series of important principles of self-education in the highest rules of morality and religion is the attainment of the continuous presence of God with man, wherever he happens to be. That goal is in itself sufficiently characteristic of the religious ideal of R. Meir, an alleged one-sided representative of the Rabbinic Halakhah, an expounder of the strict levitical law, and an exponent of the strict observance of the levitical purity. His religious ideal, however, merely applies Hillel's concept of the presence of God in the home of every God-fearing Jew.[2] The first of R. Meir's injunctions demands the concentrated and undivided striving of man to learn the ways of God, which can only be recognized and understood by the study of the Torah in the school. Even without a fuller discussion of that demand, a reference to the anonymous Baraitha[3] will suffice, 'To walk in all His ways', Deut. 11, 22, Which are God's ways? As it says,

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[1] Berakh. 17a: מרגלא בפומיה דרבי מאיר, גמור בכל לבבך ובכל נפשך לדעת את דרכי ולשקוד על דלתי תורתי, נצור תורתי בלבך ונגד עיניך תהיה יראתי, שמור פיך מכל חטא וטהר וקדש עצמך מכל אשמה ועון ואני אהיה עמך בכל מקום.

[2] Tos. Sukk. 4, 3; b. 53a; ARN, 12, 28a; Büchler, Types 103 ff.

[3] Sifré Deut. 11, 22, 49, 85a: ללכת בכל דרכיו, אלו דרכי הקב״ה שנאמר ה׳ ה׳ אל רחום וחנון ארך אפים ורב חסד ואמת נוצר חסד לאלפים נושא עון ופשע וחטאה ונקה, ואומר כל אשר יקרא בשם ה׳ ימלט, וכי היאך אפשר לו לאדם לקרא בשמו של הקב״ה, אלא מה המקום נקרא רחום וחנון אף אתה הוי רחום וחנון ועשה מתנת חנם לכל, מה הקב״ה נקרא צדיק .. אף אתה הוי צדיק .. מה הקב״ה נקרא חסיד .. אף אתה הוי חסיד : ..

Exod. 34, 6, 'The Lord, the Lord, God, merciful and gracious, long-suffering, and abundant in goodness and truth; (7) keeping mercy unto the thousandth generation, forgiving iniquity and transgression and sin, and He clears away (sin)'; and it says, Joel 3, 5, 'And it shall come to pass, that whosoever shall call (himself) by the name of the Lord shall be delivered.' But how is it possible for man to call (himself) by the Name of the Lord? 'Just as God is called merciful and gracious, be also thou merciful and gracious, and give gifts to anybody without expecting a return; as God is called righteous, be also thou righteous, as He is called loving, be also thou loving, Psalm 145, 17'. Accordingly, to know the ways of God means to know, and to follow in practice, His dealings with men, His all-embracing principles of justice, unlimited love, loving-kindness and forgiveness.[1] But how can we acquire such knowledge? An anonymous Baraitha[2] on Deut. 6, 6, has, 'As it says, Deut. 6, 5, "And thou shalt love the Lord thy God with all thine heart", but as I know not in what way we should love God, therefore it continues, (6) "And these words which I command thee this day shall be upon thine heart", put these words upon thine heart, for through that thou shalt know God and cleave to His ways.' By putting God's words into our heart, the heart being here the essential point, meaning the closest attachment to them, we learn to know the ways in which He is dealing with His creatures, and through that knowledge we cleave to His ways. In another statement the unknown expounders of indications in the text of the Bible say,[1] 'If thou wishest to know the Creator, learn Haggadah, for through it thou shalt know God and cleave to His ways'. Not the legal parts of the Torah, but the narrative chapters and their exposition reveal the ways of God with men, which we are asked to follow. In interpreting the advice of Jethrō to Moses, 'And thou shalt show them the way', Exod. 18, 20, R. Joshua says[2] that 'the way' refers to the study of the Torah, 'and the deed they must do', points to good deeds; R. Eleazar of Modin says that 'and thou shalt show them the way', means, 'show them their house of life',[3] and 'the way' is the visiting of the sick, 'they must walk', refers to the burial of the dead, 'wherein' to deeds of loving-kindness, 'and the work' to actions on the lines of justice, 'they must do' to actions beyond the lines of justice. R. Joshua found in the words of Jethrō the two comprehensive principles of the Jewish religion indicated, the study of the Torah and kind deeds, the first pointing to the fundamental duty of the Jew to acquaint himself as fully as possible with the will of God embodied in the Torah and obey it, and the second referring to the application of the commandments of all forms of loving-kindness to one's fellow-man. R. Eleazar saw in the words of Jethrō exclusively the obligations of love to be fulfilled toward the neighbour in the widest application of those duties. The written Torah sets out only the general principles of the right conduct towards one's fellow-man; the deduction of the detailed rules of such conduct and the ways of their practical application in daily life and intercourse could, in the absence of books and systematic presentations, be learned only in the schools of the Rabbis. There the lives of the patriarchs and their actions were analysed, the moral and religious motives of their conduct disclosed and developed, and there the practical realization of the highest ethical principles by the actions of the Jew was inculcated. Therefore R. Meir and other teachers demanded attendance at the schools as a religious duty; but, as those who needed such instruction most were working in the day in the fields or on the farms, the scholars thought of attendance only in the evenings.[1]

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[1] Cf. Midr. Tannaim Deut. 13, 5, 64: ד"א כשאמר משה לישראל אחרי ה' אלהיכם תלכו אמרו לו מי יוכל להלך בדרכיו . . . אמר להן משה לא אמרתי לכם (אלא) כך אלא דרכיו חסד ואמת שנאמר כל ארחותיו חסד ואמת; Midr. Psalm 25, 11, cf. Sotah 14 a, and Aggad. Cantic. Schechter, p. 61, 473-481. See above, p. 70.

[2] Sifré Deut. 6, 6, 33, 74 a; in Midr. Tannaim Deut. 6, 6, 26, Rabbi is given as the author, but it may be that after רבי the name of the author has been lost: והיו הדברים האלה אשר אנכי מצוך היום על לבבך, למה נאמר, לפי שהוא אומר ואהבת את ה' אלהיך בכל לבבך איני יודע באיזה צד אוהבים את הקב"ה תלמוד לומר והיו הדברים האלה אשר אנכי מצוך היום על לבבך, תן הדברים האלה על לבבך שמתוך כך אתה מכיר את הקב"ה ומדבק בדרכיו.

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[1] Sifré Deut. 11, 22, 49, 85 a: דורשי רשומות אומרים רצונך שתכיר מי שאמר והיה העולם למוד הגדה שמתוך כך אתה מכיר את הקב"ה ומדבק בדרכיו ואם עשיתם מה שעליכם אף אני אעשה מה שעלי, see Bacher, Tannaiten, I, 31, 2; Lauterbach in J.Q.R. 1, 1910, 291-333; Neumark in Maybaum's Festschrift, p. 179 ff.; הצופה לחכמת ישראל 6, 1922, 24 ff.

[2] Mekhil. Exod. 18, 20, 59 b; Baraitha Baba meṣ. 30 b: והודעת להם את הדרך זו תלמוד תורה, ואת המעשה אשר יעשון זה מעשה הטוב דברי רבי יהושע, רבי אלעזר המודעי אומר והודעת להם הודע להם בית חייהם, את הדרך זו בקור חולים, ילכו זה קבורת מתים, בה זה גמילות חסדים, ואת המעשה זה שורת הדין, אשר יעשון לפנים משורת הדין,

[3] See Friedmann's note 20, on p. 59 b; Bacher, Tannaiten, I, 209, 4; cf. also Is. 64, 10, and R. Eliezer b. R. Yosé the Galilean in Lev. r. 19, 5: אנו שפירשנו מבית חיינו ומבית קדשנו ותפארתנו כמה ימים וכמה שנים כמה קיצים . . .

R. Meir's next demand enjoins that we should guard the Torah in our hearts and have the fear of God before our eyes: within us the Torah, in front of us the fear of God. The latter, as already R. Yoḥanan b. Zakkai impressed upon his disciples (above p. 141), should prevent man from sinning, that is, from transgressing a prohibition of the Torah; the former would guide him to fulfil the positive commandments and suppress any evil thought or temptation rising in the heart. The third injunction of R. Meir which alone bears on this inquiry, stresses first the duty to guard against every sin of the mouth, which, of course, includes untruth and denial, the false oath, abuse, slander and curse, foul speech and unclean words. Secondly it emphasizes the obligation of removing every act and sin of dishonesty, every wrong done to the neighbour, unfairness and injustice. The unusual stress laid by R. Meir upon the last duty is sufficiently evident from his use in this instance of two verbs, purging and sanctifying, in connexion with guilt and iniquity:[2]

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[1] Baraitha Berakh. 4 b top.

[2] Rabbinovicz registers in this part of the statement several variants,

we should cleanse ourselves thoroughly from the offences implied by the two terms for various actions violating the law. He borrowed the two verbs probably from Lev. 16, 19, where the high-priest is commanded to purify on the Day of Atonement the altar from all defilements and sins committed by the people of Israel in the course of the past year, 'And he shall sprinkle of the blood upon it with his finger seven times, and cleanse it, and hallow it from the uncleannesses of the children of Israel'. But R. Meir does not suggest how the purification which he impresses on every Israelite should be effected, nor does he define the exact meaning of the two kinds of sin singled out by him.[1] Whereas in the Bible עון seems to refer specially to acts of dishonesty, the cleansing from which is urged already in Psalms of Solomon 3, 7 b–10,[2] and means the removal of goods dishonestly acquired belonging to the neighbour, in the Rabbinic literature it mostly denotes all sins without distinction. But as R. Meir mentions next to עון the word אשמה by which, no doubt, he designated another definite offence, the former also denoted a specific sin; but which? The purging

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as קדש מכל חטא וטהר מכל עון; the order of the two verbs corresponds with Is. 66, 17, 'They that sanctify themselves and purify themselves to go into the gardens'. The Munich manuscript reads: ובכל נפשך ובכל מאדך לדעת דרכי ולשקוד על דלתי תורתי, שמור מצותי וחוקותי בלבבך נצור תורתי בפיך וקדש עצמך מכל אשמה ועון ואני אהיה עמך בכל שעה, and varies the obligations in many ways.

[1] Cf. Mekhil. R. Simeon, Exod. 19, 14, 98: מה אם לחם ומים שאי אפשר לגוף לחיות שלא בהן נתקדש מהן משה רבינו ארבעים יום עד שניתנה לו תורה, על אחת כמה וכמה שצריך לאדם ליטהר לה מכל טומאת הגוף, 'As our teacher Moses was purged (sanctified by being purged) from food and drink without which no body can live, for forty days before the Torah was given to him, how much more must every man be cleansed from all uncleannesses of the body for the Torah'. Here נתקדש means thorough purging, while in Baraitha Yoma 4 b top R. Nathan has: אלא למרק אבילה ושתיה שבמעיו לשומו כמלאכי השרת, in ARN, I, 1 a: עד שעה . . שנתקדש ויהא כמלאכי השרת. See above p. 328 ff., and Tanḥ. מצורע 5; B. 13: קדושה וטהרה, and Tanḥ. תזריע 11 end: אבל ישראל אני מטהרן ומקדשן וגואלן מביניכם. Nidd. 31 a; Pesikt. r. 14, 57 b; cf. Bar. Yer. Yoma I, 38 a, 55; b. 8 a. b.; Mekhil. Exod. 15, 2, 37 a. b; Sifré Deut. 21, 14, 214, 113 a.

[2] See Büchler, Types, 138–9.

from misappropriation or from any wrong committed against the fellow-man could not be effected by repentance alone, and it is certain that R. Meir intended by the cleansing and hallowing from the two kinds of sin something more than repentance, though it is in itself a powerful means of cleansing from the violation of any law. Though no parallel elucidates the purport of R. Meir's teaching, it is clear that he applied the idea of cleansing and thorough purging to the sins of man.

A generation before R. Meir his teacher R. Ishmael, before the year 135, used the word 'clean' in connexion with sin. 'When once his nephew Eleazar b. Dama was bitten by a snake and Jacob of K'far-Sama came to heal him in (or with) the name of Jesus, R. Ishmael, in spite of Eleazar's request, would not allow it. When Eleazar died, R. Ishmael said, Happy art thou, ben-Dama, for thy body is pure and thy soul has departed in purity from thee'.[1] This his declaration is most peculiar, as it assumes that, if Jacob had applied his cure, he would in R. Ishmael's view have defiled the body of the patient and his soul. But by the laying of his hands upon Eleazar, as intended by Jacob, or by his pronouncing the name of Jesus over the wound not even the defilement of Eleazar's body could be accounted for, as there was no levitical impurity attaching to Jacob, unless R. Ishmael regarded him and his method of healing as idolatrous, when the defilement did apply, but was not levitical. But as by the same action Jacob would have affected with some kind of impurity also Eleazar's soul, the defilement could not have been either physical or levitical, but only religious or moral, in so far as Eleazar's belief in the effectiveness of Jacob's cure in the name of Jesus, if applied, would have, in R. Ishmael's opinion, defiled Eleazar's soul with some impurity. An anonymous statement explains how before its birth the child is adjured by God to be righteous during its life on

[1] Baraitha 'Abod. zar. 27 b; Yer. II, 40 d, 73; Tos. Ḥullin, 2, 22. 23; Bacher, Tannaiten, I, 258; see about the death of R. Eliezer above, p. 342, and cf. Baba meṣ. 86 a.

earth and not to be a sinner, and to consider that God is pure, His ministering angels are pure, and the soul that is put into the child is pure, 'if thou keepest it in purity, all will be well, but if not, I shall take it away'. In the Baraitha following immediately after that statement the school of R. Ishmael illustrates the declaration of God to the child thus, 'It is like the case of the priest who, in handing his priestly heave-offering to an 'Am-ha'areṣ, says to him, If thou keepest it in purity, it will be well, but if not, I shall burn it in front of thee'.[1] The illustration and its author show that the statement illustrated is, at the latest, of as early a date as the school of R. Ishmael, and that the idea of the soul's defilement by sin was accepted by R. Ishmael, his school and the unknown author of the anonymous statement. Again, on Eccl. 12, 7, 'And the spirit returneth unto God who gave it', the Baraitha says, 'Return it to Him in purity, as He gave it to thee in purity';[2] the soul as given by God is pure, free from sin, and it should not lose its purity by being defiled by sin.[1] Antoninus asked the patriarch R. Yehudah whether, when man died and the body was decaying, God really called it to account? Rabbi replied, Instead of asking me about the body which is impure, ask me about the soul which is pure.[2] Consequently, when it is stated by the Rabbis that sin defiles, it refers not to the body, but to the soul; and also when man purifies himself, or God purges him, from sin, the purification concerns the soul, though symbolically the body is washed.

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[1] Niddah 30 b. In Lev. r. 18, 1; Kohel. r. 12, 7; Bacher, Paläst. Amoräer III, 538, 4, the same illustration is, strange to say, quoted in the name of R. Samuel b. Naḥman in the name of Abdimi of Ḥaifa. In Lev. r. 4, 5, a Baraitha introduced as תני רבי חייא (see Hoffmann, Halach. Midraschim, p. 22), illustrates the responsibility of the body and of the soul for the sins of man thus: A priest had two wives, one was the daughter of a priest, the other that of a non-priest; when he handed to them dough of a priestly heave-offering, and they defiled it and one blamed the other, the priest turned to the daughter of the priest and remonstrated with her, as she ought to have known better. This is another instance of illustrating sin by a case of levitical defilement.

[2] Shabb. 152 b: תנה לו כמו שנתנה לך בטהרה אף אתה בטהרה. The illustration is preceded in Lev. r. 18, 1; Koh. r. 12, 7 by a statement of R. Simon (b. Pazzi) who interprets Eccl. 12, 7 thus: When does the spirit return to God who gave it? when the dust returneth to the earth as it was, (free from guilt); if not, 1 Sam. 25, 29 applies to it, 'And the souls of thine enemies, them shall He sling out'. In Aggad. Gen. 35, 69, R. Simon's statement reads differently, 'If it is זכה וטהורה וקדושה, clean, pure and holy, as it was given, then the spirit returns to God'. Cf. the clearer wording quoted by Buber from a manuscript. In Berakh. 10 a R. Joshua b. Levi says to R. Simeon b. Pazzi: As God is pure, so the soul is pure; see Bergmann in Hermann Cohen's Festschrift, Judaica, p. 151 cf. Deut. r. 2, 37; Kohel. r. 3, 11, 3.

In the Baraitha[3] it is reported that his disciples asked R. Eliezer how his warning, 'Repent one day before thy death', Abōth 2, 10, could be acted upon, as no one knew the day of his death? He replied, All the more should man repent every day, so that he might be repenting all his days; also Solomon said in his wisdom, Eccl. 9, 8, 'Let thy garments be always white; and let thy head lack no oil'. As the verse was adduced by R. Eliezer to support his explanation, and 'always', no doubt, corresponds with 'all his days', he read into the 'white garments' a reference to repentance. Rashi interprets the garments thus, 'Thy soul shall be clean and pure', so that R. Eliezer would have conceived the soul as a garment. R. Yoḥanan b. Zakkai[4] illustrated Eccl. 9, 8 by the wise servants who were invited by the king to a banquet; though he did not fix the hour of it, they dressed at once and waited for the call at the door of the king, while the foolish servants went to do their work and were not ready, when the call came. The white garments are the preparations of man on earth for appearing after his death before God, the observance of His commandments, kind deeds and the study of the Torah, while the filthy clothes are the sins.[1] R. Yoḥanan, however, does not say whether the meritorious actions form the garments of the body or those of the soul, nor whether not only the soul,[2] but also the body has to appear before God to give account of man's life on earth, and whether he is referring, not to the appearance of the soul before God immediately after man's death, but after the resurrection. The answer which he gave to his disciples on his death-bed that he was about to appear before God who might have cause to be angry with him and might sentence him to eternal suffering or eternal death,[3] makes it very probable that also in his illustration he referred to the time immediately after man's death, when the soul, equipped with the three merits accumulated during life on earth, is called before God to render account. That is the moment to which before R. Yoḥanan b. Zakkai already 'Akabyah b. Mahalalel referred by his warning, Abōth 3, 1, 'Know before whom thou wilt in future have to give account and reckoning, ... before the supreme King of kings of kings', and to which, before the year 135, R. Yosé b. Kisma pointed clearly, Abōth 6, 9, 'In the hour of man's departure neither silver nor gold nor precious stones nor pearls accompany him, but only Torah and good works.' In the anonymous Baraitha[1] quoted before the warning that man should return the soul pure, as it was given to him pure, is illustrated by the case of the king who distributed royal garments among his servants; the wise folded them and put them away, the foolish put them on and did their work in them. When after a time the king claimed back his garments, the wise servants returned them clean and polished, the foolish restored them soiled. The reward and the punishment meted out in the continuation of the statement clearly distinguish between the fate of the body and that of the soul, and the king's garments are throughout representing the souls which are kept either clean or soiled; and it is clear that the righteous life keeps the soul clean, while sinful actions stain it. On the other hand, as three early passages illustrate the life of the soul on earth by garments kept clean or soiled, there seems to underlie those statements some definite concept of the soul as enwrapping the body and as exposed to soiling by the sins of man.

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[1] The same in the paragraph in the morning prayer of unknown date in Berakh. 60 b: My God, the soul that Thou didst put into me is pure.

[2] Mekhil. Exod. 15, 1, 36 b; Mekhil. R. Simeon Exod. 15, 1, 59; MGWJ. 47, 1903, 426, 4; Schechter, Some aspects, 261, 1. Cf. the statement of R. Assi, of the last quarter of the third century, in Pesikt. 60 b ff.; Lev. r. 7, 3; Pesikt. r. 16, 83 b; Tanḥ. צו 14; Bacher, Paläst. Amoräer II, 169, 4, 'Why do the boys in the school begin to learn the Torah with the book of Leviticus and not with Genesis? God said, The sacrifices are pure and the children are pure (from sin, see ben-'Azzai's addition to the statement of the Hillelites in Pesikt. 61 b; Pesikt. r. 16, 84 a, above, p. 320, 1), let the pure occupy themselves with the pure subject'. Compare with this the synonymous term in R. Ze'ira's statement in Midr. Samuel 13, 1, XVII, 48 a; Yer. Bikkur. III, 65 d, 6: It teaches that God forgave Saul all his sins and he became like a child of one year of age that has not tasted sin; in Yoma 22 b R. Huna is the author. In Pesikt. 31 b R. Levi speaks of such children in David's days; see the parallels noted by Buber, and above, 331 ff.

[3] Shabb. 153 a; 2 ARN, XXIX, 31 b; Bacher, Tannaiten, I, 36, 1, above, p. 348.

[4] Shabb. 153 a; Kohel. rab. 9, 8, 1.

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[1] Justin the Martyr, Dialog. c. Tryph. 116, pp. 390–2; Goldfahn in MGWJ. 22, 1873, 198 ff., says that the sin of the high-priest Joshua in Zech. 3 consisted in his having married a harlot, unlawful for him. In Synh. 93 a bottom the Babylonian teacher R. Papa says, 'Was it then the habit of Joshua to wear filthy clothes? No, but his sons took wives not fit for priests, and he did not try to prevent it'. Though in a detail Justin's statement differs from R. Papa's, it proves that the Haggadic explanation was known in Palestine already in the first half of the second century.

[2] The soul alone gives daily account, Tanḥ. משפטים 16; in Baraitha Kohel. r. 3, 21 both the souls of the righteous and the souls of the sinners all go up to heaven.

[3] Baraitha Berakh. 28 b.

11. A few words may be added here about the well-known and frequently discussed account of Josephus of the baptism by John the Baptist,[2] as it contains explicit information bearing upon the problems under discussion; and as it presupposes even more material of a Jewish character, it deserves also from that aspect some attention. The statement reads, 'He was a good man, and commanded the Jews to exercise virtue, as to both righteousness toward one another and piety towards God, and so to come to baptism; for that the washing would be acceptable to Him, if they made use of it, not in order to demand pardon of some sins, but for the purification of the body, supposing still that the soul was

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[1] Shabb. 152 b, cf. Josephus, Wars, 3, 8, 5, 374.

[2] Antiquit. 18, 5, 2, 117; Abrahams, Studies in Pharisaism I, 1917, 30 ff.; Schürer, Geschichte I, 436 ff.

thoroughly purified beforehand by righteousness'. Ἀρετὴν ἐπασκοῦσιν, to practise virtue is a positive duty that demands right action and not only refraining from doing wrong, as also the explanation added 'by righteousness toward one another' unmistakably defines its positive character. It is further not only strict justice that the words intended to urge and that is essentially negative, but, as is evident from the frequent use of the two terms, righteousness and piety, in Philo, Josephus and the Gospels,[1] the first included the practical fulfilment of man's positive obligations toward the neighbour, as prescribed in the Torah, especially in Lev. 19. But such positive righteousness can only be exercised, when the corresponding violation of the same laws by any form of unjust and unfair actions has been stopped, that is, when the sinner has consistently restrained himself from all deeds of violence and wrong, dishonesty, slander, hatred and revenge. So definite a change of conduct from unrighteousness, manifested by action and moral attitude, to righteousness, exhibited in deeds of a reverse nature and in the disposition of the heart, implies a real transformation in the mind of the man himself. For before this he was a habitual, deliberate or thoughtless wrongdoer towards his fellow-man, but later, under some sudden moral pressure, he first resolved to refrain henceforth from all such wrongdoing, and then, by a gradual application of will and determination, he ultimately brought himself to practise justice, fairness, kindness, love and loving-kindness. Formerly his soul was daily defiled by the recurring, accumulating acts of sinful wrongdoing to the neighbour, and has to be προεκκεκαθαρμένη, purged from the sins of the past by his recognition and his admission to himself that his actions were wrong, by repentance addressed to his awakened conscience and to God, and by resolving to act differently. If now he practised righteousness, it purified his heart from all the dross of his past offences against men and God. As stated above (p. 237 ff), the idea of cleansing away sin is biblical, and continued throughout the post-biblical and the Rabbinic literatures. Even the concept of the staining of the soul is found in Philo and the Jewish-Hellenistic writers; but while Jer. 4, 14 demands the washing of the heart from evil, social and religious, those writers, as John the Baptist here, speak of the purification of the soul. In the latter's procedure there follows after that the washing of the body with a view to obtaining from God the pardon of sins. This presupposes the practice of immersion, not as cleansing from a levitical defilement, but from social and religious sins, in the circle of Jews to which John belonged.[1] For in the Hebrew Bible in pre-exilic times only Is. 1, 16 and Jer. 2, 22 alluded to a popular method of washing away sins and of thus preparing for the forgiveness of God; but in post-exilic times no clear evidence of the continued existence of the custom of cleansing from sin in the way of a levitical defilement is found outside Zech. 13, 1. It would, then, seem that John voiced here the otherwise unknown Essenic idea of purification from sins, which has parallels in the mysteries of the Greek Elusinia, in the Egyptian mysteries and in Mithraism.

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[1] Büchler, Types, 161-4.

But what the idea of the immersion of the body after the cleansing of the soul was is not evident; while John explicitly excluded as its object to demand pardon of some sins, he did not state the meaning of the purification of the body. It is strange that Mark 1, 4 says, 'So John the Baptist appeared in the wilderness, proclaiming the baptism of repentance for the forgiveness of sins. (5) And they were baptized by him in the river of Jordan, confessing their sins'; and so also Luke 3, 3, 'proclaiming the baptism of repentance for the forgiveness of sins'. Both accounts explicitly state that the sole object of the immersion was the remission of sins, and the preparation for it was repentance during, or immediately before, the baptism, manifested by the confession of sins; so that repentance and confession formed here one act as with the Rabbis of the first century. In normal Jewish life and practice the confession of sins was to be found only in connexion with the sacrifice brought by the repentant sinner to the Temple of Jerusalem, and the forgiveness of sins mentioned by John was also the purpose of the sin-offering. It seems, therefore, probable that the three significant points connected with John's baptism, repentance, confession and forgiveness, were borrowed from the sin-offering, as the Essenes seem to have declared their daily immersion[1] to have the same atoning effect as the atoning sin-offering.[2] Outside the Temple sins were confessed in the hearing of others[3] at the service of the public fast[4] which was held on account of some great public calamity as drought or plague. There the elder among the assembled people addressed to them words of admonition to be penitent, 'My sons, no one should be ashamed before his fellow-man, nor be ashamed on account of his actions; it is better that he be ashamed before his fellow-man and on account of his actions than that he and his children should be oppressed by hunger'.[5] And so also ben-Zoma taught publicly, 'If thou hast been shamed in this world, thou shalt not be shamed before God in the world-to-come'.[1] So the Jews confessed their sins in the hearing of one another also before John; and as that was undoubtedly a strong moral means of cleansing the individual from any sin not made good by restitution, forgiveness, asking for pardon and by other acts of conciliation, the immersion as a symbolic washing of the heart and the soul concluded the purification from sins.

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[1] In the first סליחה for the Fast of Gedalyah by R. Solomon b. Isaac and beginning אז טרם, Repentance dwelling in heaven is described thus, 'Prepared for the washing of filths and to clothe those improved, to pour fine oil upon the heads of the repentant'. As this was, no doubt, based on some Rabbinic source, it would be interesting to know the reference to the last point, as Zechar. 3 was the source for the second.

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[1] If it is remembered that the pious men of the beginning of the first century in Jerusalem brought every day a guilt-offering for doubtful sins to cleanse themselves from every error possibly committed, Kerith. 6, 3; Tos. 4, 4; Büchler, Types, 73–76, the substitution of the daily immersion by the Essenes for such daily atonement will be better understood.

[2] About the attitude of the Essenes to sacrifices see Leszynsky, Sadduzäer, 150, 1; Jackson-Lake, The beginnings of Christianity, 1, 1920, 92.

[3] Cf. Didaché, 4, 11: Confess thy sins in the congregation, and proceed not to thy prayer with a bad conscience. See below, p. 417, 2 ff.

[4] It should be noted that fasting which was considered essential as an expression of self-abasement with repentance, 1 Reg. 21, 27; Joel 2, 12; Jonah 3, 5; Psalms of Solomon 3, 9; Büchler, Types, 139, and the Rabbis (Types, 139, 4), was not required by John, nor in Sibyll. 4, 165 ff., 'Wash the whole of your body in perennial streams and, in lifting up your hands to heaven, ask pardon for former days, and expiate with praise bitter impiety, and God will repent'. As a Jewish-Hellenistic ideal this agrees with John as to the absence of fasting; the Essenes do not seem to have emphasized fasting.

[5] Tos. Ta'an. 1, 18; Büchler, Types, 215, 1.

In the Rabbinic literature, as far as I can see, early explicit references to the purging of sin by the application of any external means of cleansing are not to be found. R. Meir, of the middle of the second century, derived the rule that he who swears a false oath receives thirty-nine stripes, from Exod. 20, 7, 'For the Lord will not cleanse him that taketh His name in vain', thus: The Court in heaven cleanses him not, but the court of justice on earth scourges him and cleanses him.[2] The same idea is expressed in more familiar terms by R. Ḥaninah b. Gamaliel on Deut. 25, 3, 'Lest, if he should exceed, and beat him above these with many stripes, then thy brother should be dishonoured before thine eyes', in the remarkable words, 'In the preceding verses the Torah calls him "wicked", but when he has received his punishment, the Torah calls him "thy brother"'.[3] And in the anonymous Baraitha, 'Beloved are stripes, for they atone for sins, as it says, Deut. 25, 2, "according to the measure of his wickedness": the stripes are fit to atone for his wickedness.'[4] The punishment inflicted by the court of justice purges away the sin attaching to the transgressor and atones for it.[1] An anonymous Baraitha which explains the several points of similarity between the Torah and water, says, 'Just as water raises the levitically unclean from his uncleanness, so the words of the Torah raise man from the evil way on to the good way, as it says, Psalm 19, 8, "The law of the Lord is perfect, restoring the soul"'.[2] But Yalkut quotes the passage in a different wording, 'Just as water raises the impurity to purity, so the words of the Torah raise the unclean from uncleanness to cleanness, as it says, Psalm 12, 7, "The words of the Lord are pure words"; and as water restores the soul of man, so the words of the Torah restore the soul of man, as it says, Psalm 19, 8, "The law of the Lord is perfect, restoring the soul"'.[3] It is clear that the impurity of man is in his sins and due to his ignorance of the commandments; the more he learns of the Torah, the purer he grows, as his sins are gradually purged by his knowledge. Its effect is described in very characteristic words, though, it seems, in a comparatively late statement, 'As men call gold pure, so the Torah purifies the hearts and reins of the scholars, as it says, Psalm 19, 10, "More to be desired are they than gold"'.[4] In an anonymous statement on Cant. 4, 2, 'Like a flock of ewes all shaped alike', Flocks of scholars engaged in the Torah, 'which are come up from the washing', They cause Israel to wash themselves from their transgressions.[5] Aaron, the high-priest, is the clean man in Eccl. 9, 2, for he was engaged in cleansing the sins of Israel; meaning, evidently, by the atoning sacrifices in Lev. 16 and elsewhere.[6] God promised Abraham as a reward for his saying, Gen. 14, 23, 'I will not take a thread', I shall cleanse thy children by the altar round which a red line will be drawn (halving its height).[1] God will cleanse Israel from its sins,[2] He let dew fall upon them by which they were washed from their sins,[3] and on the Day of Atonement He makes the sins of His children white, clean ;[4] He sprinkles clean water upon them to cleanse them from their sins.[5] The most interesting statement is that on Zech. 13, 1, 'In that day there shall be a fountain opened to the house of David and to the inhabitants of Jerusalem, for purification and for sprinkling', and on Cant. 4, 15, 'Thou art a fountain of gardens, a well of living waters'. They refer to the fountain by which God will once cleanse the righteous men, in order to fulfil Is. 4, 4, 'And He shall have purged the blood of Jerusalem'. Another explanation : God will once cleanse Israel from idolatry, incest and bloodshed ; or perhaps the righteous men will say, God will forgive the light, but not the grave sins, therefore Ezek. 18, 15 ; 36, 17, included both. Had he said in 36, 17, 'Their way before Me was as the uncleanness of a carcass or as the uncleanness of a dead insect', there would never have been purification for Israel ; but as the menstruous woman immerses in water and becomes fit for her house, so, when ye shall have been washed in this fountain, ye will be clean for ever.[6] Here it is explicitly stated that the gravest sins of Israel will be washed off by God in a fountain.

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[1] Exod. r. 30, 19; though the book which has preserved the statement is of a late date, the statement may still be authentic; Bacher, Tannaiten, I, 430.

[2] In Shebu'ōth 21 a R. Simeon b. Yoḥai, in Themurah 3 a bottom; Pesikt. r. 22, 114 b R. Meir, in Yer. Shebu'ōth III, 35 a 31 R. Yannai: כי לא ינקה, בית דין של מעלה אין מנקין אותו אבל בית דין של מטה מלקין אותו ומנקין אותו. The Court in heaven stands for God, see above, p. 308. 346, 2.

[3] Sifré Deut. 25, 3, 286, 125 a; Makk. 3, 15.

[4] Midr. Tannaim Deut. 25, 3, 164: חביבות המכות שהן מכפרות על החטאים שנאמר כדי רשעתו כדאי הן המכות לכפר על רשעתו.

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[1] In Sifré Deut. 25, 3, 286, 125 a: דבר אחר ונקלה אחיך לעיניך, מלמד שכל חייבי כריתות שלקו נפטרו מיד כריתתן, 'then thy brother should be dishonoured before thine eyes', teaches us that all who incurred the punishment of cutting off to be executed by God, if they have received stripes, become exempt from the first punishment. The indignity of stripes purges them from their grave guilt.

[2] Sifré Deut. 11, 22, 48, 84 a.

[3] More fully elaborated in Cant. r. 1, 2 b, 3.

[4] Tanḥ. ויקהל 8.

[5] Yalkut Cant. 4, 2; cf. Cant. r. 4, 4, 2: שהיו כולן מרוחצין מן העונות.

[6] Lev. r. 20, 1; Tanḥ. ואתחנן B. 1; Kohel. r. 9, 2; Pesikt. 168 a. In

As the reference to Ezek. 36, 25 in one of the parallel texts

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Tanḥ. שמות B. 11 Ṣipporah's name is interpreted : she purged her father's house as does the blood of the bird in Lev. 14, 6. 7 ; differently in Exod. r. 1, 32 : שטיהרה עצמה כצפור ; see Midr. Abhkir in Yalkut Exod. 2, 20.

[1] Tanḥ. לך לך 13 ; Yelamdénu לך לך 23, Grünhut ספר הלקוטים VI, 45 a.

[2] Yalkut Cant. 4, 15 : cf. מעין גנים שעתיד הקב״ה לטהר את ישראל מעונותיהם.

[3] Yalkut Cant. 4, 4 ; cf. Aggad. Gen. 83, 159 ; Tanḥ. ויחי B. 12 ; Synh. 94 b.

[4] Midr. Psalm 9, 4.

[5] Pesikt. r. 20, 95 b ; 203 a.

[6] Aggad. Cant. 4, 15, Schechter, pp. 37. 82 ff. ; Yalkut Makhiri Is. 4, 4, 35 ; Tanḥ. מצורע 9 ; B. 17.

shows, perhaps the concept was originally derived from that prophet's figurative cleansing of Israel, but, in combination with Zechar. 13, 1, was taken literally and further developed. Unfortunately there is no statement available earlier than the anonymous passages collected here, to assist in the tracing at least to the teachers of the first century of the purification of sin by an immersion or by washing the body. For there is no evidence for the assumption that the immersion prescribed for the proselyte was instituted to wash off symbolically his numerous sins,[1] and the immersion of the girl who, while in prison, had eaten of the food of Gentiles and drunk of their drinks and had to cleanse herself on being released,[2] was not required to wash off her sins. The unnamed Haggadists did not adopt the idea in European Christian countries, as in the Pirké R. Eliezer, XX, compiled in the first quarter of the eighth century in the East, Adam's repentance after his expulsion from Paradise consisted in his stay in the water of the upper Giḥōn up to his neck and in seven weeks' fasting; but, strange to say, no immersion is mentioned. Similarly in the Life of Adam and Eve Adam in his repentance stood for forty days in the Jordan.[1] But the mere number of the days and the absence of an immersion clearly show that self-inflicted, prolonged suffering, and not direct purification from his sins by washing or immersion was intended; just as R. Meir said, 'Adam was an extremely pious man: when he saw that death had been decreed for his sin as a punishment, he fasted for one hundred and thirty years, separated from his wife for one hundred and thirty years, and wore girdles of fig leaves on his body for one hundred and thirty years'.[2] In the statements of the teachers of the first and second centuries man cleanses himself from his sins by repentance, and God assists the righteous man in his purging by sending upon him visitations that suggest to him self-inspection and self-examination, submission to the will of God and repentance. Sufferings of all kinds coupled with repentance and premature death purify the soul from the stains of sin.

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[1] An anonymous statement in Gen. r. 39, 11 on Gen. 12, 2, 'Be thou a blessing', has: Read it as בְּרֵיכָה, pool: as the pool purifies the levitically impure, so thou, Abraham, shalt bring near the far off and purify them for their Father in Heaven'. But it does not suggest that the immersion cleansed the proselyte from his past sins. The term seems rather to belong to those discussed above, p. 290 ff., and used in the first century in Kidd. 3, 13: R. Tarfon says, יכולין ממזרים ליטהר, Children born in incest and adultery can be made pure; in Baraitha Kidd. 69 a: The teachers said to R. Tarfon, טיהרת את הזכרים ולא טיהרת את הנקיבות, Thou hast by thy method made the male children pure, but hast not made the females pure. His opponent, R. Eliezer, applies טהר in the same way to the Mamzer in Yer. Kidd. IV, 65 d, 22: שאלו את רבי אליעזר דור אחד עשר שבממזר מהו, אמר להן הביאו לי דור שלישי ואני מטהרו. It is interesting to note that R. Yosé b. Ḥalaftha in Cant. r. 1, 1, 10 says that Solomon's love of many women: לאהבה להאביהן לאהבן ולקרבן ולגיירן ולהכניסן תחת כנפי השכינה, and uses all the synonyms known for bringing proselytes into Judaism, but not טהר; the original passage in Yer. Synh. II, 20 c, 30 has only: למושבן לדברי תורה ולקרבן תחת כנפי השכינה.

[2] ARN, VIII, 19 a; Abrahams, Studies in Pharisaism I, 39-41.

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[1] Charles, Apocrypha and Pseudepigrapha, II, 134.

[2] Baraitha 'Erub. 18 b.

V

ATONEMENT OF SIN IN THE FIRST CENTURY

1. In Leviticus two chapters, 4 and 5, deal with the atoning sacrifices which the sinner has to bring to the Sanctuary, when he transgressed unwittingly one of the prohibitions in the Torah and has become conscious of his offence. The individual occasions for such sacrifices are defined only generally in the form of principles, and the Rabbinic interpreters of these rules often differed as to which transgressions when committed in error, and what circumstances of the sinful act demanded an atoning sacrifice. The clearest part is undoubtedly the law referring to the atonement for the various sins of misappropriation of another man's goods, and, on that account, it seems advisable to examine the Rabbinic comment and the practice recorded in the Rabbinic sources in connexion with that offence. All the more so, as any consideration of the crime by the Rabbis, the sinfulness of the deliberate or unintentional act, the moral issue, the essential confession, the way of restitution, the atoning sacrifice and the forgiveness of the sin by God would allow an insight into principles very important, and morally as well as religiously fundamental. The law in Lev. 5, 21-26 first deals with embezzlement, (21) 'If any one sin, and commit a trespass against the Lord, and deal falsely with his neighbour in a matter of deposit, or of pledge, or of robbery, or have oppressed his neighbour'. Robbery seems to include theft and any other form of a dishonest removal of the neighbour's property, as it is otherwise difficult to understand why in the full list of the various ways of misappropriation theft should have been ignored. When in Psalm 69, 5 the poet complains, 'They that hate me without a cause are more than the hairs of

my head; they that would cut me off, being mine enemies wrongfully, are many; should I restore that which I took not away, גזלתי?' He was not accused of robbery in its ordinary sense, of having taken away goods by force and violence from any one, but evidently of theft or misappropriation, and he had to part with his own property to make good the alleged injury. In Is. 3, 13, 'The Lord standeth up to plead, and standeth to judge the peoples. (14) The Lord will enter into judgment with the elders of His people, and the princes thereof: It is ye that have eaten up the vineyard; the spoil, גזלת, of the poor is in your houses. (15) What mean ye that ye crush My people, and grind the face of the poor'? The elders and princes did not rob in the usual sense, but did so in their capacity of judges by depriving the weak of their property by perverting justice and by imposing fines which they appropriated.[1] In Mic. 2, 2, 'And they covet fields, and seize them, וגזלו, and houses, and take them away; thus they oppress a man and his house, even a man and his heritage', the method of the mighty princes was applied in their judgments in the court of law, just as queen Jezebel obtained the vineyard of Nabōth through a court of justice. Mic. 3, 2 expressed it even more strongly, 'Who rob their skin from off them; (3) who also eat the flesh of My people, and flay their skin from off them', when he characterized the justice of the rulers in the courts as plain robbery. In Job 24, 9, 'There are that pluck, יגזלו, the fatherless from the breast, and take a pledge of the poor', the wealthy as creditors act in the way of 2 Reg. 4, 1; Neh. 5, 5; from their point of view it was their legal right, but in fact it was great inhumanity screened by custom and law. So also in Is. 61, 8, 'For I the Lord love justice, I hate robbery with iniquity', the last, explanatory word shows that the robbery was something legally obtained, but was morally corrupt.[1]

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[1] Cf. Is. 10, 2, 'To turn aside the needy from judgment, and to take away, ולגזל, the right of the poor of My people, that widows may be their spoil, and that they may make the fatherless their prey'; cf. Amos 2, 8. In Prov. 22, 22, 'Rob not the weak, because he is weak, neither crush the poor in the gate', the parallelism suggests that the man of power appropriated on some legal pretext the goods of the helpless. So in Psalm 35, 10, 'Who deliverest the poor from him that is too strong for him, yea, the poor and the needy from him that spoileth him' See D. H. Müller, Die Gesetze Hammurabis, 90 ff.

In Lev. 5, 21 robbery is followed by 'or have oppressed his neighbour', and there might possibly be some closer connexion between the two. For in Lev. 19, 13, 'Thou shalt not oppress thy neighbour, nor rob him; the wages of a hired servant shall not abide with thee all night until the morning', robbing is placed between oppression and the delay in paying the wages, and hardly means ordinary robbery, but suggests the total withholding on some pretext of money due to one's fellow-man. In Jer. 21, 12, 'Execute justice in the morning, and deliver the spoiled out of the hand of the oppressor', גזול מיד עושק, and 22, 3, 'Execute ye justice and righteousness, and deliver the spoiled out of the hand of the oppressor', the man who holds the robbed goods is not an ordinary robber, as he obtained them not by common robbery and force, but by the method described as עשק. Already Mic. 2, 2, 'And they covet fields, and seize them, וגזלו, and houses, and take them away; thus they oppress a man and his house, even a man and his heritage', qualifies in the parallelism robbing by oppressing, the direct object of which, as in Lev. 19, 13; Deut. 24, 14; 1 Sam. 12, 3. 4, is the person affected, but, at the same time, also refers to the property concerned. In Ezek. 22, 29, 'The people of the land have used oppression, and exercised robbery, and have wronged the poor and needy, and have oppressed the stranger unlawfully', the wealthy landowners and ruling citizens in the provinces robbed the weaker neighbours by means of oppression; as 1 Sam. 12, 3. 4 and Mic. 2, 1. 2 show, it was the judge that had the power and the opportunity for such oppression. In Ezek. 18, 18, 'As for his father, because he cruelly oppressed, עשׁק עשק, committed robbery on his brother, and did that which is not good among his people', the oppression precedes the robbery, and the parallel verses, 7, 'And hath not wronged any, but hath restored his pledge for a debt, hath taken nought by robbery; (12) hath wronged the poor and needy, hath taken by robbery, hath not restored the pledge. (16) Neither hath wronged any, hath not taken aught to pledge, neither hath taken by robbery', use instead the verb הונה which is followed by the retention of the pledge and by robbery, once in inverse order. It seems that both robbery and oppression were acts of injustice supported by the application of some law and legal claim, the one a legal appropriation of the helpless man's produce or field or house on a judgment of the court of justice, the other an exaction of money or a pledge, or the cheating of a helpless hired servant of his wages on some justification advanced. But the combination of the two words suggests that, as the injustice characteristic of both was based on law, they were sometimes both used to denote the same thing.

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[1] In Gen. 30, 25, at the conclusion of his fourteen years of service Jacob said to Laban, 'Send me away, that I may go unto mine own place, and to my country. (26) Give me my wives and my children for whom I have served thee, and let me go; for thou knowest my service wherewith I have served thee'. As he had to refer to his past service and to ask not only for his wives, but also for his children, it is clear that in spite of his completed years of service they were in the legal power of his master who could refuse to hand them over to Jacob. To hold back wife and children on the stipulations of law and right involving the harshest injustice and personal wrong is גזל. In accordance with this, when answering Laban's question why he had carried away Laban's daughters as though they had been captives of the sword, Gen. 31, 26, Jacob said, v. 31, 'Because I was afraid; for I said, Lest thou shouldst take thy daughters from me by force, פן תגזל', and Laban replied, v. 43, 'The daughters are my daughters, and the children are my children, and the flocks are my flocks, and all that thou seest is mine'. Jacob describes Laban's otherwise legal claim and his potential act as גזל. See D. H. Müller, Die Gesetze Hammurabis, 219.

The Rabbis distinguished between the character of theft and that of robbery, as the question of his disciples to R. Yoḥanan b. Zakkai why the Torah dealt more strictly with the thief than with the robber, and his answer show:[1] the thief commits his crime secretly, the robber openly, before

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[1] Tos. Baba kam. 7, 2; Baraitha Baba kam. 79 b; Mekhil. Exod. 22, 6, 91 b; above, pp. 109 ff. But cf. Hillel's use of the word in Abōth 2, 7.

God and men. Correspondingly, R. Eleazar bar Kappara and before him R. Simeon b. Yoḥai defined the robber as one who robs openly, and bar-Kappara derived it from Judg. 9, 25, while R. Simeon b. Yoḥai supported that definition by Mal. 1, 13.[1] To that was added as a characteristic trait the employment of violence, as a Baraitha states, 'If an unrighteous, חמס, witness rise up against any man to bear perverted witness against him', Deut. 19, 16, 'חמס means a robber', (who testifies against his fellow-man to rob him of money or of his life).[2] R. Simeon b. Yoḥai again interpreted violence as robbery in the Baraitha, 'How very strict is the Torah on the matter of robbery! as the Torah finds it necessary (for the protection of the property of the owner of the field in Deut. 23, 26 as against that of the labourer, and for the protection of the latter's character) to refer to the swinging of the sickle (as removing the character of robbery from the plucking of the labourer); at the same time, how important is work, (the swinging of the sickle), as the generation of the flood perished only on account of robbery, while the labourer engaged in the work of harvesting (in the field of his employer) is eating of his corn and is still free from the stigma of robbery'.[3] In an anonymous Baraitha Exod. 23, 1, 'Put not thy hand with the wicked to be an unrighteous witness', is interpreted thus, 'Make not a wicked man a witness, make not a man of violence a witness, such are robbers and men who trespass by oaths'[1]; and another Baraitha refers the same words to robbers and to such as lend money for interest.[2] In the first case the man swears falsely to obtain money for his friend not due to him; in the other he takes interest against the prohibition of the Torah, his money is unrighteous, and so to take interest is חמס.[3] R. Nathan, of the middle of the second century, is named as the author of the disqualifying statements,[4] but instead of the trespassers by oaths or of money-

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[1] Gen. r. 54, 3; Baba kam. 79 b: ואיזהו גזלן רבי אלעזר בר קפרא אמר זה שהוא גוזל בפרהסיא היך דאת אמר ויגזלו את כל אשר יעבר עליהם בדרך מה דרך פרהסיא אף גזלן פרהסיא, רבי שמעון בן יוחי מייתי לה מהכא והבאתם גזול את הפסח וגו' מה פסח מום שבגלוי אף גזלן בגלוי.

[2] Sifré Deut. 19, 16, 189, 109 b: כי יקום עד חמס באיש לענות בו סרה, אין חמס אלא גזלן שנאמר לענות בו סרה. In Tos. 'Arakh. 2, 10: ראה כמה החמירה תורה בין חומסי חמס לאומרי לשון הרע שאונס ומפתה וחומס חמס נותן חמשים סלעים ואינו לוקה, המוציא שם רע לוקה ונותן מאה סלע, החמירה תורה דברים מן המעשה. The words וחומסי חמס are very difficult, as beside the two violent acts explicitly mentioned there is none known for which a fine of fifty shekels would be imposed; and, in addition, the opening sentence expressly includes the two acts among the חומסי חמס and then mentions the חומס חמס as a separate item! All explanations suggested by the commentators are unsatisfactory, and the only right solution seems to be to read חומס חמס without the conjunction as an apposition to the two persons stated before.

[3] Yer. Ma'as. II, 50 a, 23: תני רבי שמעון בן יוחי אומר עד איכן דיקדקה

התורה בגזל שצריכה לדון בין אדם לחבירו עד כדי הנפת מגל, בתוך כן גדולה מלאכה שלא חרב דור המבול אלא עד מפני הגזל ופועל עושה במלאכתו ואוכל ופטור מן הגזל, Gen. 6, 11. 13: חמס. In Gen. r. 31, 5 R. Ḥaninah explains the difference between violence and robbery, violence refers to the appropriation of less than a Peruṭah, robbery to that of the value of a Peruṭah; the men of the generation of the flood used to do this: when a man carried a basket full of lupines in the street, another came and took of them less than a Peruṭah-worth, and then another did the same, and owing to the small value of the loss the owner could not claim and recover it in a court of law. Cf. the illustration of the rule, 'What thou likest not to be done to thee do not to thy fellow-man', by R. Akiba in 2 ARN, XXVI, 27a; Theodor on Gen. r. 31, 5.

[1] Synh. 27a: מיתיבי אל תשת רשע עד אל תשת חמס עד, אלו גזלנין ומועלין בשבועות;

[2] מתיבי אל תשת רשע עד אל תשת חמס עד, אלו גזלנין ומלוי רביות.

[3] The disqualification of certain men as witnesses on the ground of betting in pigeon races, Synh. 3, 3, dates from an earlier period; for in 'Eduy. 2, 7 the scholars stated in R. Eliezer's name to R. Akiba this: Those who let pigeons fly are unfit as witnesses, ומפריחי יונים פסולים לעדות, the terms being the same as in Synh. 3, 3. The name of R. Eliezer suggests that the disqualification was decreed after the year 70, unless R. Eliezer was merely quoting the law in force before that year in Jerusalem, where R. Eliezer was a disciple of R. Yoḥanan b. Zakkai. But Tos. 'Eduy. 1, 11 has: מפריחי יונים מה הן לעדות, ולא אמר בהן לא כשר ולא פסול ורבי אליעזר מכשיר וחכמים פוסלין, and definitely attributes the discussion about that rule to R. Eliezer and his colleagues, though it ascribes to R. Eliezer the opposite view.

[4] Mekhil. Exod. 23, 1, 98b: רבי נתן אומר אל תשת ידך, אל תשת רשע עד אל תשת חמס עד, להוציא את החמסנין ואת הגזלנין שהן פסולין לעדות

lenders for interest he uses a general term 'men of violence' formed from the biblical word חמס; and an anonymous Baraitha states that the religious authorities added to the persons disqualified as witnesses the robbers and the men of violence.[1] R. Simeon b. Yoḥai enumerated four classes of men of certain characters who liked one another: such as love money, robbers, men of violence and such as lend money for interest.[2] In another Baraitha R. Simeon remarks, 'There is no family that has in it a publican or a robber, ליסטין, whose members would not all be publicans or robbers'.[3] Here instead of the Hebrew word for robber the Greek λῃστής is put, and for the men of violence 'publicans'; the same are included among those disqualified as witnesses in a Baraitha,[4] 'The authorities added yet to those the shepherds, the tax-collectors and the publicans'. From the middle of the second century onwards the Haggadists applied the word חמס very frequently in their descrip-

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שנאמר לא יקום וגו׳ עד חמס באיש וגו׳ . . Cf. Midr. Abhkir, Buber, 11, § 29. In Baraitha Gittin 49 b top; Tos. Kethub. 12, 2: תניא אמר רבי שמעון מפני מה אמרו הנזקין שמין להן בעידית, מפני הגזלנים ומפני החמסנין כדי שיאמר אדם למה אני גוזל למה אני חומס למחר בית דין יורדין לנכסי ונוטלין שדה נאה שלי וסומכים על מה שכתוב בתורה מיטב שדהו ומיטב כרמו ישלם לפיכך אמרו הנזקין שמין להן בעידית, 'R. Simeon b. Yoḥai said, Why did the authorities say that the damage caused by cattle pasturing in another man's field should be collected from the best field of the owner of the cattle? On account of the robbers and the men of violence, in order that they should say to themselves, Why should I rob, why should I act with violence? to-morrow the court of justice will enter into my property, select on Exod. 22, 4 the best of my fields and take it for compensation.' In abusing their position of power and wealth, some Jews sent their cattle, even in the sight of the owner of the field, into the plantations of another man and robbed the helpless man of his corn or fruit. That the court could assert its power against them deserves attention.

[1] Synh. 25 b: תנא הוסיפו עליהן הגזלנין והחמסנין.

[2] Mekhil. R. Simeon Exod. 22, 26, 152: היה רבי שמעון אומר אוהבי ממון אוהבין זה את זה והגזלנין אוהבין זה את זה והחמסנין אוהבין זה את זה ומלוי רבית אוהבין זה את זה. See also Aggad. Cant. 8, 14, 46.

[3] Shebu'ōth 39 a; cf. R. Joshua's incident in 'Erub. 53 b, and the Ḥasid's in Baba kam. 80 a.

[4] Synh. 25 b: תנא עוד הוסיפו עליהן הרועים הגבאים והמוכסין.

tions of the violent methods of the Roman administration in Palestine, and of those of some dishonest Jews favoured by the Roman officials and oppressing their own suffering brethren. But all these persons who as robbers and men of violence were disqualified by the Jewish religious authorities as witnesses belong to Galilee after the year 137,[1] while no similar extension of the denotation of robber can be traced in Judaea before that date, and even less so in Jerusalem before the year 70.

R. Simeon b. Yoḥai included in robbery the misappropriation of the corner of the field to be left for the poor, in a statement of special interest from various points of view. In a Baraitha, handed down in the several sources with some important variants, R. Simeon says,[2] 'On four grounds, the authorities said, the owner of the field should leave the corner of the field only at the end of his field: on account (of the possibility) of robbing the poor, of wasting the time of the poor, for appearance' sake, and because the Torah says, Lev. 19, 9, "Thou shalt not wholly reap the corner of thy field". On account of robbing the poor: the owner should not look out for a suitable free moment and say to his poor relative, Come and take for thee the corner; on account of wasting the time of the poor: the poor should not have to sit and to wait all day and say, The owner is going to leave the corner now, but let them go and glean in the meantime in another field and come back at the time of his finishing (the reaping); for appearance' sake: the passers-by should not have to say, See, how the owner has wholly reaped his field and has left no corner for the poor; and because the Torah says, "The corner of thy field thou shalt not reap": when thou finishest reaping.' One version of the statement has,[1] 'On five grounds the owner should leave the corner only at the end of his field', and adds as the third point, 'On account of deceivers: the owner should not (be able to) say, I have already given, and then select (for himself) the good, and take (for the poor) the bad, corn'. R. Simeon only gave the reasons for the earlier rule[2] that the corner should be left at the end of the field; in his opinion the corner of the field becomes the private property of the poor who are waiting for it, and the owner of the field has no longer the right to dispose of it, and if he assigns it to his own relative, though also a poor man, he robs the poor of their due. And if the owner cheats the poor of the corner altogether by not leaving it at all, the anonymous Mishnah[3] says, 'At four periods pestilence grows apace, . . . at the conclusion of the Feast of Tabernacles in each year for robbing the poor of the grants legally assigned to them'; and to withhold the gleanings, the forgotten sheaf, the corner of the field, and the tithe for the poor is declared robbery for which pestilence is the penalty. In interpreting 'I am the Lord your God', Lev. 19, 10, which is added at the conclusion of the two verses dealing with the corner of the field and the gleanings, an unnamed Tanna says, 'I collect from you (as the penalty) only your lives, as it says, Prov. 22, 22, "Rob not the weak, because he is weak, neither crush the poor in the gate, (23) for the Lord will plead their cause, and despoil of life those that despoil them "'.[1] It is not common robbery, but the withholding of the produce given by God to the farmer to be handed over to the poor; it is depriving the needy of his sustenance granted to him by God, and possibly causing his and his family's death by starvation. The crime is committed in secret against God and the poor, and only He knows of the robbery; therefore He inflicts the penalty, and, on that ground, this is very strict.

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[1] See Büchler, Der galiläische 'Am-ha'areṣ, 250 ff.; but see 'Erub. 53 b; Baba kam. 80 a.

[2] Sifra Lev. 19, 9, 87 c, § 10: בשביל ארבעה דברים אמרו לא יתן אדם פאה אלא בסוף שדהו מפני גזל עניים מפני בטול עניים ומפני מראית העין ומשום שאמרה תורה לא תכלה פאת שדך. In Baraitha Shabb. 23 a bottom the introduction reads: בשביל ארבעה דברים אמרה תורה. so also in Tos. Pe'ah 1, 6; but the commentator R. Simson on Pe'ah 1, 4 in quoting the Tosiftha does not cite the words אמרה תורה, see Horovitz in MGWJ. 38, 1894, 200.

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[1] Yer. Pe'ah IV, 18 b, 32: תני בשם רבי שמעון מפני חמשה דברים לא יתן אדם פאה אלא בסוף שדהו . . . ומפני הרמאין . . . כיצד, שלא יאמר כבר נתתי ויהא בורר את היפה ומוציא את הרע. Tos. which has only four gives as the fourth: On account of deceivers, and explains its thus: that the owners should not say, We have already given; another explanation: the owner should not leave for himself the good (part of the standing corn) and leave (for the poor) the bad (part of the standing corn).

[2] אמרו is supported by the mistaken אמרה תורה which only arose from אמרו which was misunderstood.

[3] Abōth 5, 9; in ARN, XXXVIII, 57 a: דבר בא לעולם, בעון לקט שכחה ופאה ומעשר עני, 2 ARN, XLI, 58 a: בארבעה פרקים הדבר מרובה . . ובמוצאי החג שבכל שנה ושנה, בעון הלקט והשכחה והפיאה ובעון גזל מתנות עניים. Bacher, Tannaiten, I, 441, 4.

2. The smallest amount of money or its equivalent to constitute legally robbery was one Perutah, and was already presupposed by R. Eliezer as the accepted rule before the year 120 in his statement, 'Great is work, for, while he who robs his fellow-man to the extent of only one Peruṭah is bound to go after him (to restore it) even to Media, a labourer who is working with the farmer and picking dates may eat without shame a date, even if it is worth a denarius'.[2] The first act of the repentant sinner in making good the wrong committed by his misappropriation, according to Lev. 5, 23, 'Then it shall be, if he hath sinned, and is guilty, that he shall restore that which he took by robbery', is the restitution of the goods themselves in kind; and as that was not always possible, the later practice permitted the payment of the value of the article in equivalent money which the claimant had to accept. But that concession was granted only in the first half of the first century, as is evident from the dispute of the two schools, 'The Shammaiites held that, if a man robbed a beam and used it in the erection of a building, he has to pull down the whole building and return the original beam to its owner; the Hillelites

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[1] Sifra Lev. 19, 10, 88 c top; ARN, XXXVIII, 57 a.b; see also Sifré Deut. 1, 9, 9, 67 a.

[2] 2 ARN, XXI, 23 a: רבי אליעזר אומר גדולה היא מלאכה שכל הגוזל את חבירו שוה פרוטה צריך לילך אחריו אפילו למדי, פועל שהיה עושה עם בעל הבית בכותבות אפילו אחת מהם יפה דינר אוכל ואינו בוש. Cf. R. Simeon b. Yoḥai's statement, p. 379, 3.

said that for the sake of assisting repentant sinners the owner could only claim the value of the beam '.[1] That the practice in Jerusalem, at least in the last decade before the year 70, followed the view of the Hillelites is reported by R. Yoḥanan b. Gudgeda who testified before the scholars in Jamnia concerning the robbed beam that was built into a house, that the owner must accept its equivalent in money for the sake of assisting repentant sinners.[2] Now, R. Yoḥanan b. Gudgeda was doing duty as a Levite at the closing of the gates of the Temple, when once another Levite, the well-known disciple of R. Yoḥanan b. Zakkai, Joshua b. Ḥananyah, a singer in the choir of the Levites in the Temple, wished to assist him,[3] and even the deaf and dumb sons of Yoḥanan b. Gudgeda had assisted in Jerusalem at the preparation of levitically pure food.[4] Yoḥanan's evidence, as that of other scholars who had survived the destruction of the Temple and joined the school in Jamnia, referred to the law and the practice followed in his days in Jerusalem, and so he informed the scholars that the lenient view of the Hillelites had been the established rule there. The Shammaiites obviously interpreted Lev. 5, 23 literally and demanded the actual restitution with a view to punishing the robber, as beside the mere restitution of the property robbed and the additional fifth of its value no further fine or punishment was imposed by the law upon the robber. Perhaps in this their insistence on the actual restitution of the original article in all, even adverse circumstances, as in several other interpretations of laws in the Torah, the Shammaiites followed the view of the Sadducees. On the other hand, the Hillelites endeavoured to satisfy the rightful claim of the injured owner, but, at the same time, to make the prescribed restitution for the repentant sinner as easy as possible in order to induce him to repent his crime, to confess the robbery, to conciliate his wronged fellow-man and return to God. This consideration of the Hillelites for the sinner, a robber, is in consonance with their principle that a scholar should teach the Torah to any man, even of the lower classes, for there were many transgressors in Israel who were brought near to the study of the Torah, and righteous, pious and proper men descended from them.[1]

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[1] Baraitha Gittin 55 a ; Tos. Baba kam. 10, 5 : תנו רבנן גזל מריש ובנאו בבירה בית שמאי אומרים מקעקע כל הבירה כולה ומחזיר מריש לבעליו ובית הלל אומרים אין לו אלא דמי מריש בלבד מפני תקנת השבים, see Eschelbacher in Hermann Cohen's Festschrift, Judaica, 508 ff.

[2] Gittin 5, 5 ; 'Eduy. 7, 9 : העיד רבי יוחנן בן גודגדה . . . ועל המריש הגזול שבנאו בבירה שיטול את דמיו מפני תקנת השבים, 'Eduy. רבי נחוניה בן גודגדא.

[3] Baraitha 'Arakh. 11 b ; Sifré Num. 18, 3, 116, 36 a.b ; Tos. Shekal. 2, 14.

[4] Tos. Therum. 1, 1 ; Yer. I, 40 b, 24.

From the dispute of the two schools it further follows with great probability that all that was required of the repentant robber was restitution. The same is evident from the question addressed by his disciples to R. Yoḥanan b. Zakkai, 'On what ground does the Torah deal more strictly with the thief than with the robber?'[2] They had Exod. 22, 3. 6. 8 in mind where it is enjoined that the thief has to pay double, while the robber has only to restore the property, Lev. 5, 23. It is true, if the robber supported his initial denial of the deed by an oath and, when repentant, is ready to return the goods robbed, but the owner of the article robbed is away from the place, the robber is obliged to carry the goods, even if only of the value of one Peruṭah, after the owner even to Media,[3] and this obligation may sometimes have inflicted a heavy penalty upon him. But here again the consideration of the religious authorities for his moral position is evident in a decree reported by R. Eleazar b. R. Ṣadok, 'The authorities instituted the great relief (for the robber) that, when the expenses involved in taking the article after the (absent) owner transcended the value of the property (to be restored), the robber might deposit the equivalent of the article in money and its additional fifth in the court of justice, and might then bring his guilt-offering and obtain atonement'.[1] It is clear that the earlier law and practice were derived from the literal interpretation of Lev. 5, 23 by the Shammaiites who insisted on the unconditional handing over in kind of the goods robbed even amid the most difficult circumstances. R. Eleazar b. R. Ṣadok to whom we owe several other valuable reports of religious customs observed and of incidents in Jerusalem and the Temple before the year 70, referred here probably to the application by the authorities of the principle of the Hillelites, 'for the sake of assisting repentant sinners', to this double burden imposed by the law upon the repentant robber. His description of the double relief decreed as great suggests that the relatively moderate concession was the first breach in the prevailing strict application of the law by the Shammaiites in authority, made by the lenient, considerate and humane teaching of the Hillelites to facilitate the repentance of the hesitating sinner. Only gradually, as it appears, was the way opened for the other, more important concession that the repentant robber need not pull down his house in building which he had used the beam robbed, but may pay its equivalent in money. If, as it seems, this case actually occurred in Jerusalem, the harshness of the Shammaiite demand to pull down the building in order to restore the beam itself, and its deterring moral effect on a man considering repentance and confession, as demonstrated by the arguments of the Hillelites, led first to the decision that the house need not be pulled down and the beam may be redeemed by money, and then to the acceptance of the general principle that the article robbed need not in all emergencies be restored in kind, but may be paid for in equivalent money.[1] As R. Yoḥanan b. Gudgeda testified that the last-named concession was already granted in his days in Jerusalem, the relief reported by R. Eleazar b. R. Ṣadok was decreed some time earlier.[2]

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[1] ARN, III, 7b ff.: בית שמאי אומרים אל ישנה אדם אלא למי שהוא חכם ועניו ובן אבות ועשיר, ובית הלל אומרים לכל אדם ישנה שהרבה פושעים היו בהם בישראל ונתקרבו לתלמוד תורה ויצאו מהם צדיקים חסידים וכשרים. Cf. Sifra Lev. 10, 4, 46a; 16, 35, 83c on Mal. 2, 6, 'and did turn many away from iniquity', Aaron brought many transgressors back to the Torah.

[2] Above, 378, 2.

[3] Baba kam. 9, 5: הגוזל את חבירו שוה פרוטה ונשבע לו יוליכנו אחריו אפילו למדי; see R. Eliezer's statement, p. 384, 2.

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[1] Baraitha Baba kam. 103 b: תניא רבי אלעזר ברבי צדוק אומר תקנה גדולה התקינו שאם היתה הוצאה יתרה על הקרן משלם קרן וחומש לבית דין ומביא אשמו ומתכפר לו.

Too little is known of the deliberate and consistent direction given by the Pharisaic religious authorities in the administration and application of the civil and criminal law in the courts of Jerusalem.[3] But the spirit and the general principles by which Hillel and his school for over half a century opposed the literal and strict interpretation of the law, which was often carried to extreme harshness in favour of the wealthy and ruling class by the Sadducees and with a conservative tendency by the Shammaiites, is sufficiently clear from the instances adduced, from Hillel's institution of the Prozbol[4] and his practical application of Lev. 25, 30. The last point refers to the man who, forced by adverse circumstances, sold his house which was standing in a walled city, say Jerusalem; the law allowed him for a full year the right of repurchase. When now on the last day of the year the present owner, in order to frustrate the repurchase still open to the man who sold it, is deliberately hiding himself, what could the original owner who is so anxious to recover his property do? An early Mishnah reports,[1] 'Formerly the man (in possession of the house) used to hide himself on that day in order that the house should become his for ever; but Hillel the old instituted that the seller might deposit the money of redemption in the chamber of the Temple, break the door of the house and enter into it, whenever he liked, and the purchaser should come and take his money'. The spirit realized in the protection of the dispossessed, and even more definitely evident in the giving of access to a chamber of the Temple for the purely civil and secular transaction, and in the fact of charge being taken of the money by priestly officials of the Temple treasury is the same as in the modification of the law governing the restitution of property robbed or embezzled to facilitate the repentance of the sinner by making within the law his rehabilitation as easy as possible.

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[1] In Tos. Baba kam. 10, 6; Baraitha Baba meṣ. 101 a it is stated, 'When a man entered into the ruins of another man's house and rebuilt it without the owner's permission, and on leaving demands his timber and his stones, they do not listen to him; R. Simeon b. Gamaliel said that the Shammaiites had held that he was justified (in his claim), while the Hillelites had said that they did not listen to him.'

[2] A difference between the two schools concerns the fixing of the value of the article robbed in Sifra Lev. 5, 24, 28 c, § 13; Baba meṣ. 3, 12, 'The Shammaiites directed that the robber should pay the equivalent according to the price ruling on the day of the robbery, whether high or low; the Hillelites held that he should pay according to the price of the time when the property was removed from the possession of the owner; R. Akiba demanded the price ruling at the time when the court summoned the robber.'

[3] Cf. Kethub. 13, 1-9.

[4] Gittin 4, 3; Shebi'ith 10, 3. 4.

But it is strange that the Rabbinic interpretation of the law that inflicted thirty-nine stripes for the deliberate transgression of every biblical prohibition for which no other penalty was prescribed in the Torah, was not applied to the crime of robbery, not even in the case of Lev. 5, 22, where the grave sin of a false oath was added, but, as shown above, was satisfied with the mere restitution.[2] On the other hand, Josephus[3] says, 'Moreover, if anyone cheats another in measures or weights, or makes a knavish bargain and sale in order to cheat another; if anyone steal what belongs to another, and takes what he never deposited, all these have punishments allotted to them; not such as are met with among other nations, but more severe ones'. His words in no way suggest the lenient double payment for theft for which the Roman law, (Josephus addressed himself here to Roman and Greek readers), inflicted very severe penalties,[1] but he seems to hint at corporal chastisement, flogging. Philo goes even further, when he maintains that the Jewish law inflicted the death penalty for theft;[2] on the other hand, however, he states in another passage,[3] 'He who leads away or takes away unlawfully the property of another person, if he does so with violence and publicly, he shall be deemed an enemy of society, since he combines insolent audacity with rebellion against the law'.[4] He does not indicate what penalty he had here in mind; but, evidently, as an enemy of all men the criminal was to be put to death. For Philo offers the same description of another criminal elsewhere,[5] 'Also when he does not actually attack his parents, but abuses those of whom he may only speak with reverence, or reviles his parents in any way, he shall die, Exod. 21, 17; Lev. 20, 9, for he is an enemy of all men, or, to put it more correctly, he is an enemy of the people; for towards whom else could a man be well disposed who is not so even towards his parents who brought him into existence and as a part of whom he is to be considered?' And again,[6] 'Men who direct their frenzy against the wives of others, sometimes even against those of their relatives and friends; who turn the wishes for their married life into a curse, and leave the hopes for children unfulfilled: those suffer from an incurable disease of the mind, and must therefore, as common enemies of the whole human race, be punished by death'. Dr. Ritter[7] refers to yet another relevant passage in Philo,[8] 'If a shepherd or goat's keeper or a herdsman or, in general, the driver of a flock makes his cattle graze or pasture in the field of another man, and spares not the fruit and the trees, he shall give an equal piece of land of equal produce as a compensation; and let him be glad that he suffers only that punishment and experiences the equity and the leniency of the law that punishes him who behaved as implacable enemy, (for it is the habit of such to devastate the fields and to destroy useful plantations), not as an enemy of the state, by death or exile, or, at least, by the loss of all his property'. As the Jewish law knows neither banishment from the country, nor the confiscation of property[1] as a legal penalty for the offences enumerated, only the death penalty remains to be inflicted on him whom Philo describes as an enemy of society and of the state, the thief or the robber.

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[1] 'Arakh. 9, 4; Sifra Lev. 25, 30, 10 d, § 8.

[2] See E. Goitein in Berliner-Hoffmann's MWJ. 20, 1893, 39; Tschernowitz, Der Raub nach bibl. talm. Recht, in ZS f. vergl. Rechtswissenschaft 27, 187–96.

[3] Contra Apion. II, 30, 216.

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[1] Mommsen, Röm. Strafrecht, p. 661, 2.

[2] In Eusebius, Praepar. evang. VIII, 7, 1; Ritter, Philo und die Halacha, 56, 1; Wendland in 22. Supplementband der Jahrbücher für klass. Philologie, 1896, 711, 5; Josephus, Antiquit. 3, 12, 3, 282.

[3] De spec. leg. IV, 1 = About theft, 1, 1. 2 = M. II, 335. 336.

[4] Heinemann in L. Cohn's Die Werke Philos in deutscher Übersetzung, II, 247, 1.

[5] De spec. leg. II, 248 = De parent. col. 7.

[6] De spec. leg. III, 64 = About adultery, 11 = M. II, 310.

[7] Philo und die Halacha, 59.

[8] De spec. leg. IV, 23 = About theft, 5 = M. II, 339.

With such uncommon severity of punishment appears to be in accord king Herod's rule who caused thieves to be sold into slavery abroad.[2] As Josephus complains that such severity contradicted the law in Exod. 22, 2, 'For those laws ordain that the thief shall restore fourfold, and that, if he have not so much, he shall be sold indeed, but not to foreigners, nor so that he be under perpetual slavery, for he must have been released after six years', it would seem that Herod applied his penalty only when the man could not pay the prescribed fine. But the quotation concerning the king's procedure conveys the impression that every housebreaker was sold abroad into slavery, and that the king merely applied the Roman law that punished theft by slavery; and similarly Philo, as it appears, only applied the Alexandrian Code. On the other hand, it must not be forgotten that also Gen. 31, 32 and 44, 9. 10 presuppose the death penalty for theft among the Semites,[3] while the

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[1] Ezra 10, 8 is a different measure altogether.

[2] Josephus, Antiquit. 16, 1, 1, 1–5.

[3] About Hammurabi's Code which punishes the thief by death and the restitution of the stolen property, D. H. Müller, Hammurabi, 88, remarks that the penalty is a survival of the period of tribal law, when theft was

Egyptian law is assumed to have inflicted only slavery for that crime, Gen. 44, 17. As also David's sentence of death for robbery in addition to fourfold restitution in 2 Sam. 12, 5 shows, there must have existed in the courts of Israel the practice of inflicting death in certain exceptional cases of theft and robbery. But where did Philo and, as it seems, also Josephus find in any Jewish law-book or in any Palestinian Jewish court the penalty of death or of flogging for robbery and for certain kinds of theft? If the vague information of Josephus, the learned priest of Jerusalem, was based on facts, and if Philo's definite statements reflect the Palestinian practice of his time, their agreement may point to the aristocratic criminal Code of the Sadducees which imposed as a deterrent the severest penalty upon thieves and robbers most of whom were of the people. Perhaps they based this law on the fact that theft, like murder and adultery, was included in the Decalogue; and the consideration that Philo prescribed for the false oath which too is prohibited in the Ten commandments, and also for the false evidence of a witness, the death penalty, would support the suggestion. When the Pharisees overthrew the Sadducean administration of the courts of law, they abolished the death penalty for theft and robbery, and re-instated the old law in Exod. 22, 2. 3, which imposed only a double payment for theft; and, in declaring also robbery to be only an offence against property, excluded every form of punishment, and treated robbery, for reasons not stated anywhere and undoubtedly very difficult, as an offence lighter in its consequences than theft. As the disciples of R. Yoḥanan b. Zakkai did not know the reason, and their teacher could not give them any other but the culprit's religious attitude during the sinful act, it seems that already then the real reason of the leniency was forgotten, or that the new law of the Pharisees, born in their determined opposition to the

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judged as a breach of the peace which was punished by nearly all nations by death, pp. 90 ff.

harshness of the Sadducean Code, was never fully understood and could not be justified legally.

3. Josephus' assertion that for sins committed in measure and weight some strict punishment was inflicted by the Jewish law, cannot be supported from the Rabbinic literature. First, it is explicitly stated[1] that in Jerusalem agoranomoi, officials of the market inspected the measures used in the market, but did not influence the prices of foodstuffs; and that also Tiberias had such an official, and for a short time the later king Agrippa I acted there as agoranomos.[2] On the other hand, the well-informed R. Yehudah b. Ilai states[3] that the chamber of the councillors in the Temple was at a later date called the chamber of פרהדרין, because some noble priests paid sums of money to become high-priests and such changed every twelve months, just as the פרהדרין changed every twelve months; that is why the chamber of the councillors was renamed chamber of פרהדרין. But R. Yehudah did not explain in his report the position of the last-named officials or dignitaries. An Amora of the last quarter of the third century, 'Ulla, R. Yoḥanan's disciple, explained on some earlier authority the statement in Dammai 2, 4, that the bakers (in Jerusalem) were not asked by the authorities to render any of the various levitical and priestly dues from their wares except the priestly heave-offering from the tithe of the Levites, 'Because the פרהדרין beat the bakers every twelve months and urged them to sell their wares more cheaply'.[4] Accordingly, they were officials connected with the Temple who were elected for one year only and supervised the food-market; they may not have had the right to influence the prices of the foodstuffs, but did so arbitrarily in order to exact money from the bakers. It is

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[1] Tos. Baba meṣ. 6, 14: איגראנאמין היו בירושלם ולא היו ממונים על השערים אלא על המדות בלבד; see S. Klein, מאמרים שונים לחקירת ארין ישראל, 1924, 38-9.

[2] Josephus, Antiquit. 18, 6, 2, 149.

[3] Baraitha Yoma 8 b.

[4] מתוך שפרהדרין הללו חובטין אותן כל י״ב חדש ואומרין להן מכרו בזול מכרו בזול לא אטרחינהו רבנן, Yoma 9 a.

interesting to find in II Macc. 3, 4, 'But one Simon of the tribe of Benjamin, having been made guardian of the Temple, fell out with the high-priest about the ruling of the market in the city, περὶ τῆς κατὰ τὴν πόλιν ἀγορανομίας.[1] So 'Ulla's statement is confirmed by the fact that that office was held in the period immediately before the Maccabaean rising by a dignitary of the Temple; so that the office of the overseer of the market was for two hundred and fifty years connected with the authorities of the Temple. And it is for the whole problem of interest that the standard measures were kept on the Temple Mount and in the Temple.[2] Such supervision suggests with considerable probability that those who were found using incorrect measures did not escape some definite fine or punishment; and in this method of cheating, as in the cases of theft and robbery, the Sadducean administration might not have been satisfied with mere restitution, so very insignificant as a deterrent, but inflicted some severe penalty. The statement on Deut. 25, 15, '"A perfect and just weight shalt thou have; a perfect and just measure shalt thou have, that thy days may be long", Abba Ḥanin in the name of R. Eliezer says, When a positive commandment is violated for the observance of which the Torah promises a reward, it is not the duty of the beth-din to intervene',[3] suggests that any strict penalty for cheating in measure and weight was opposed by R. Eliezer before the year 120 by a general Rabbinic principle.

On the other hand, a report in the Baraitha of the scrupulous honesty of two grocers in Jerusalem before the year 70 shows that a very strict standard was in practice observed on the point. 'Abba Saul b. Batnith collected three hundred jugs of wine from the exact account of measures, and his colleague (R. Eleazar b. R. Ṣadok) collected three hundred jugs of oil from the surplus in his accounts realized from the remnants in his measures. When they brought the liquors to the treasurers of the Temple, the latter said to them that it was not their duty to do so; but when the scholars declared that they would not keep them for themselves, the treasurers told them, As you impose such strictness upon you, use them for public purposes.[1] When once the scholars visited Abba Saul b. Batnith in his illness, he said to them, 'Come, and see this my right hand that measured honestly'.[2] The emphasis laid in the account on their scrupulous honesty and Abba Saul's declaration suggest that other grocers in Jerusalem were not quite so strict. And once when in connexion with the levitical laws he spoke of hollow and unequally built scale-beams, R. Yohanan b. Zakkai in an explicit reference to such deceivers said, 'Woe to me, if I utter it, and woe to me, if I utter it not: if I utter it, the deceivers may learn therefrom, and if I utter it not, the deceivers may think that the scholars are ignorant of their dishonest practices'.[3] As R. Eliezer pointed out, in connexion with the prohibition of false weights and measures, as only in two other cases, Exod. 20, 12; Deut. 5, 16 and Deut. 22, 7, Deut. 25, 15 goes out of its way and not only adds a positive commandment, denounces the sin as an abomination to God and terms the action an unrighteous deed, but also promises for the observance of the law a prolongation of life, and appeals by all those statements to the conscience of the Israelite. Guided by these exceptional methods of impressing the importance of the commandment and specially by the promise of a reward, the teachers not only removed the penalty in vogue, but also included the breach of the moral obligation among the morally reprehensible acts designated as גניבת דעת, fraud. 'There are seven kinds of thieves, the first of all is he who deceives men; . . . he who acts iniquitously in measures, cheats in weights and adulterates foods and drinks; moreover it is accounted to him as though he would deceive God, if he could deceive Him; so he who deceives men is called a thief'.[1] And 'the abomination of the Lord' in Deut. 25, 15, is interpreted by the unnamed teacher in the Baraitha to mean that such a man is a doer of unrighteousness, is hated, is an abomination, a ban and abhorrence, who, like an unjust judge, causes five calamities, he defiles the land, profanes the Name of God, causes the presence of God to leave the land, makes the Israelites fall by the sword and causes them to be exiled from their land.[2] The unusual stress laid on the gravity of the sin, and the long list of the gravest penalties inflicted for it by God not only on the sinner alone, but on the whole of the nation and the land suggest that the teachers of the second century had to employ the greatest possible moral pressure in the inculcation of honesty in weights and measures; for the law supplied no other means in the form of legal punishments to enforce the duty, and left it wholly to the conscience of the individual.

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[1] See Grimm, pp. 67 ff. on the word.

[2] Kelim 17, 9. 12.

[3] Midr. Tannaim Deut. 25, 15, 169; in Baraitha Ḥull. 110 b; Yer. Baba bath. V, 15 a, 73 anonymous; cf. Sifré Deut. 25, 15, 295, 126 b ff.

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[1] Beṣah 29 a bottom; Tos. 3, 8; Yer. III, 62 b, 16: אמרו להן חכמים, see Rashi and Rabbinovicz.

[2] Yer. Beṣah, III, 62 b, 19.

[3] Baraitha Baba bath. 89 b; Tos. Kelim 2, VII, 9; Mishnah 17, 16; Kohel. r. 6, 1.

The wine and the oil which had remained over in the measures after measuring the liquors to their customers and which, in their own moral judgment, did not belong to the grocer, Abba Saul b. Batnith and R. Eleazar b. R. Ṣadok brought to the treasurers of the Temple, for, as they could not possibly restore a few drops to the individual customer, they chose that way out of their difficulty. The treasurers would not accept the accumulated drippings and suggested that their equivalent in money be used for public purposes. This their principle was still applied in the middle of the second century in cases of deliberate robbery, 'The repentance of shepherds, tax-collectors and publicans is difficult to carry out; they return the money to such as they remember to have been deceived, and the money of those whom they do not remember to have been deceived shall be used for public purposes'.[1] On the other hand, a second anonymous Baraitha states, 'From robbers and those who lend money for interest, who wish to restore the money illegally taken by them, it must not be accepted, and the scholars find no satisfaction in him who does accept it'.[2] On this Baraitha R. Yoḥanan, of the middle and the third quarter of the third century, remarked, 'This Mishnah originated in the days of Rabbi as the outcome of an incident related in the following Baraitha; When once a man (a robber or a money-lender for interest) in repenting wished to restore the money illegally taken, his wife pointed out to him that, if he carried out his intention, even his belt would not remain his. This restrained him from making restitution, and, in consequence of that, the authorities resolved that from robbers and those who lend money for interest who return the money (illegally) taken it must not be accepted, &c.' As in the first half of the first century in the rule of the Hillelites discussed above (p. 384 ff.) the only and weighty consideration in the leniency of the authorities to the robber was their desire to facilitate his repentance, here in the second century the same object determined the legislation of the teachers. At the same time we learn that until the days of R. Yehudah I the law which was in force in Temple times and was observed by Abba Saul was still in vogue, and permitted the acceptance of the interest restored by repentant money-lenders;[1] and, as it seems, not only permitted it, but also demanded it, to enable the repentant sinner in accordance with Lev. 5, 23 to conciliate the man robbed and to turn to God for forgiveness. As stated before, the robbers, as the list in the first Baraitha shows, were Jews in the service of the Roman administration as tax-collectors and publicans, and such as pastured their flocks in the fields of other men. So long as they carried on their occupation and extorted money from helpless fellow-Jews or appropriated illegally their plantations, they were before the law of the Rabbis common robbers, and had, if practically repentant, to restore to their several victims all that they had extorted from them. If they were unable to identify them and their claims, the compensation had to be devoted to public purposes, as already the treasurers of the Temple had advised Abba Saul b. Batnith and R. Eleazar b. R. Ṣadok to do in a case which their scrupulous honesty regarded as misappropriation.

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[1] Tos. Baba kam. 7, 8; Mekhil. Exod. 22, 3, 89 b: שבעה גנבים הם הראשון שבכולם גונב דעת הבריות . . . המעוול במידות והמשקר במשקלות והמערב את הגידה בתלתן ואת החומץ בשמן . . ולא עוד שמעלין עליו שאילו יכול לגנוב דעת העליונה גונב שכל הגונב דעת הבריות נקרא גנב . . . Cf. Sifré Deut. 25, 16, 295, 127 a; Midr. Tannaim Deut. 25, 16, 169; Kohel. r. 6, 1; and Tos. Sotah 7, 3, where the thief in Zechar. 5, 4 is referred to as a deceiver of men.

[2] Sifré Deut. 25, 16, 295, 127 a; cf. Sifré Deut. 22, 5, 226, 115 b: כל עושה עול, קרוי חמשה שמות עול שנוא משוקץ חרם ותועבה; Sifra Lev. 19, 35, 91 a, § 5: אם כן למה נאמר לא תעשו עול במשפט במדה במשקל ובמשורה מלמד שהמודד נקרא דיין שאם שיקר במדה קרוי עוול שנאוי ומשוקץ חרם ותועבה וגורם לחמשה דברים מטמא את הארץ ומחלל את השם ומסלק השכינה ומפיל ישראל בחרב ומגלה אותם מארצם.

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[1] Baraitha Baba kam. 94 b bottom; Tos. Baba meṣ. 8, 26: תא שמע הרועים והגבאין והמוכסין תשובתן קשה ומחזירין למכירין ושאין מכירין יעשה בהן צרכי צבור.

[2] Baraitha Baba kam. 94 b; Tos. Shebi'ith 8, 11: תנו רבנן הגזלנין ומלוי בריבית שהחזירו אין מקבלין מהן והמקבל מהן אין רוח חכמים נוחה הימנו. אמר רבי יוחנן בימי רבי נישנית משנה זו דתניא מעשה באדם אחד שביקש לעשות תשובה אמרה לו אשתו ריקה אם אתה עושה תשובה אפילו אבנט אינו שלך, ונמנע ולא עשה תשובה, באותה שעה אמרו הגזלנין ומלוי ריביות שהחזירו אין מקבלין מהן והמקבל מהם אין רוח חכמים נוחה הימנו.

But not only on those robbers or on such as had cheated in weight or measure did the Rabbinic law not impose either a fine or a penalty, but not even for the embezzlement of a deposit or a pledge or for the wrongful appropriation of another man's goods. Though they are grave sins in themselves and are committed not only against one's fellow-man, but at the same time also against God, Lev. 5, 21 a, the fairly detailed law in Lev. 5, 21–26 does not even permit the imposition of either penalty. Even when that sin was aggravated, first by the denial of the sinner in answer to the charge of the owner of the missing article, and afterwards by the false oath sworn by the person accused of embezzlement or misappropriation in support of his persistent denial, is any opening left in the text for any punishment.[1] Dillmann-Ryssell refer to the difficulty and suggest this explanation, 'The paragraph, moreover, is dealing with trespasses against property, which cannot be found out judicially and be punished for, but which are revealed by the culprit himself owing to his pangs of conscience, Lev. 5, 23. Only his confession makes it possible to treat it, instead of a civil offence, as an occasion for the guilt-offering and not, as in a similar case in Lev. 5, 1, as an occasion for the sin-offering, because there is at the same time an injury of the neighbour in question. But it is a case for the sacrifice and the mere restitution to the neighbour is sufficient, because not only by the false oath, but also by the attack on the fellow-man's property, Num. 5, 6, was a trespass committed against God. The restitution made up for the offence against the law, and the additional fifth was the indemnification of the wronged man and a fine for the guilty person.'[2] From the Rabbinic comment it appears that, in addition to the fifth of the value of the article misappropriated to be paid to the owner, the unusually high price of the ram for the guilt-offering, indicated in the word בערכך in v. 25, was a part of the fine imposed.[1] R. Yosé the Galilean and R. Akiba, before the year 135, and R. Menaḥem b. R. Yosé, before the year 200, term the guilt-offering in Lev. 5, 18 a fine, and their expressions indicate that that was the accepted view; and as the ram in v. 25 is prescribed in exactly the same words as in v. 18, and it is ordered in v. 15 that it should be in value at least of two holy shekels,[2] its value in v. 25 must needs be the same. And just as the layman by eating of holy things commits the trespass involved against God, so the false oath sworn by His Name is a trespass against God. The only, but rather serious difference between the two is that the extenuating 'in error' of v. 15, or 'though he know it not' of v. 17, is not added in connexion with the false oath; so that the Baraitha rightly emphasizes that this is an exceptional and extraordinary case in which the bringing of an atoning sacrifice was permitted for a deliberate sin.[3]

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[1] Cf. Baraitha Baba kam. 94 b; Baba meṣ. 62 a: תא שמע הגזלנין ומלוי בריבית אף על פי שגבו מחזירין.

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[1] An interesting and instructive parallel and comment is Testament Gad 6, 3, 'Love ye one another from the heart; and if a man sin against thee, speak peaceably to him, and in thy soul hold not guile; and if he repent and confess, forgive him. (4) But if he deny it, do not get into a passion with him, lest catching the poison from thee he take to swearing and so thou sin doubly'. Dr. Charles, it seems, misunderstood ὀμόσῃ which he took to mean cursing, whereas the whole paragraph refers to Lev. 5, 21 ff.: a man embezzled or stole his neighbour's property and, when challenged, angrily or calmly, either repents and admits the wrong, or, as in Lev. 5, 22, supports his denial by an oath not only superfluous, but also sinful. The author blames the claimant and his anger for the false oath of the thief. Interesting is here the repentance and confession rendering Lev. 5, 23, 'If he hath sinned and feels guilty', and admits it, see Lev. 5, 5, and, as it seems, declares his readiness to restore the property.

[2] Die Bücher Exodus und Leviticus, 3rd edition, 1897, 480. 478; see also E. Goitein in Berliner-Hoffmann's MWJ. 20, 1893, 38 ff.

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[1] Sifra Lev. 5, 17, 26 d, § 7; 26 b bottom; Midr. Tannaim Deut. 15, 10, 84; ARN, XXX, 45 a; Tos. Pe'ah 3, 8: ולא ידע ואשם ונשא עונו, רבי יוסי הגלילי אומר הרי הכתוב ענש את מי שאינו יודע, אם כך ענש הכתוב למי שאינו יודע על אחת כמה וכמה שיענוש למי שיודע. (8) רבי עקיבא אומר האוכל חלב מביא חטאת בסלע, ספק אכל ספק לא אכל מביא אשם תלוי בשתי סלעים, אם כך ענש הכתוב למי שבא לידו ספק עברה על אחת כמה וכמה שישלם שכר לעושה מצוה. (9) רבי מנחם ברבי יוסי אומר הנהנה שוה פרוטה מן הקודש מביא מעילה וחומשה ומביא אשם בשתי סלעים, צא וחשוב כמה פרוטות בשתי סלעים קרוב לאלפים, אם כך ענש הכתוב את השוגג על אחת כמה וכמה שיענוש את המזיד.

[2] Shebu'ōth 5, 1.

[3] See Hoffmann, Das Buch Leviticus, 210. But another Baraitha in Shebu'ōth 37 a: תנינא חמורה הימנה שבועת הפקדון שחייבין על זדונה מכות ועל שגגתה אשם בכסף שקלים . . . מאן תנא זדון שבועת הפקדון לא ניתן לכפרה, רבי שמעון אבל לרבנן קרבן נמי מייתי . . . תא שמע אין חייבין על שגגתה, מה הן חייבין על זדונה אשם בכסף שקלים . . . תא שמע לא אם אמרת בנזיר טמא שכן לוקה תאמר בשבועת הפקדון שאינו לוקה shows that there was a Tanna who held that the guilt-offering was prescribed only when the false oath was uttered unwittingly, while the false oath

Even Philo who states that death is the penalty of him who invokes God as a witness to an untrue statement,[1] or, as he quotes as the opinion of others, stripes in the presence of the congregation,[2] does not read into Lev. 5, 23 either punishment. Instead of an array of various explanations Philo's most instructive rendering of the difficult paragraph will supply a satisfactory reason for the striking absence of any penalty for the false oath. His comment reads,[3] ‘If anyone, so it says, makes a false statement concerning a partnership,[4] or about a deposit, or about a theft, or about the finding of some thing which another man has lost, and being suspected and having had an oath proposed to him, shall swear, and when he appears to have escaped all conviction at the hands of his accusers, shall himself become his own accuser, being convicted by his own conscience residing within, and shall reproach himself for the things which he has denied and as to which he has sworn falsely, and shall come and openly confess the sin which he has committed, and implore pardon, then pardon shall be given to such a man who shows the truth of his repentance, not by promises, but by works, by restoring the deposit which he

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deliberately sworn is to be punished for by stripes. It has to be admitted that this stricter view appears to be more reasonable, though the plain wording of the biblical law is decidedly against it; see Tosafōth, s. v. מילקא.

[1] De special. leg. II, 6, 27 = M. II, 275; De special. leg. II, 252 = De parent. col., 9; Yonge's translation of Philo, III, 224 ff.; Ritter, Philo und die Halacha, 46-7.

[2] Cf. also De Decalogo, 19, § 95 = M. II, 196.

[3] De special. leg. I, 235 = De victimis, 11 = M. II, 247; Ritter, 45, 3.

[4] In Derekh ereṣ II: השוקר על שותפו ומי שאין מחזיר אבידה לבעליו והמלוה את חבירו על מנת ליטול ממנו ביתו או שדהו והדר בנבלה עם אשתו והמוציא עליה עלילות דברים בשביל לגרשה עליהם הכתוב אומר אני ה׳ חוקר לב בוחן כליות, ‘To him who cheats his partner in business, who returns not a find to its owner, who lends money to his neighbour in order to take away his house or his field, who is living with his wife in disgrace, and lays wanton charges against her in order to divorce her, to all those applies Jer. 17, 10, I the Lord search the heart, I try the reins’. These are things done in private or planned in the secret of the heart, against which the teachers fought by moral pressure.

has received, and by giving up the things which he has stolen or found, or of which in short he has in any way deprived his neighbour, paying also in addition one fifth of the value, as an atonement for the evil which he had done. And then, after he has appeased the man who had been injured, the law proceeds to say, After this let him go also into the Temple, to implore remission of the sins which he has committed, taking with him an irreproachable mediator, namely that conviction of the soul which has delivered him from his incurable calamity, curing him of the disease which would cause death, and wholly changing and bringing him to good health. And it orders that he should sacrifice a ram, and this victim is expressly mentioned, as it is in the case of the man who has offended in respect of the holy things; for the law speaks of an unintentional offence in the matter of holy things as of equal importance with an intentional sin in respect of men; if we may not indeed say that this also is holy, since an oath is added to it, which, as having been taken for an unjust cause, it has corrected by an alteration for the better.'

This is not a rhetorical exposition of the preacher and moral philosopher Philo, but the plain interpretation of the text, with which all modern commentators agree. His voluntary confession for which God has been waiting with His hand stretched out inviting the return of the offender,[1] frees the sinner here from any kind or form of punishment for his embezzlement or robbery, and even for his false oath,[2] and only requires him to restore the property unlawfully obtained. The voluntary confession, it is true, is not mentioned in Lev. 5, 23. 24, but is explicitly stated in the parallel law in Num. 5, 7, 'Then they shall confess their sin which they have done; and he shall make restitution for his guilt in full, and add unto it the fifth part thereof, and give it unto him in respect of whom he hath been guilty'. The position of והתודו here and in Lev. 5, 5, and a mere comparison of Num. 5, 7 with Lev. 5, 23 show that the confession was made after he had denied his guilt and had sworn falsely. He then began to revolve his grave sins in his mind and was prevailed upon by his awakened conscience to admit his guilt to the injured man, and he now goes to the court to confess to the judges his several sins. In full agreement with Philo's interpretation[1] and in referring to the laws in Lev. 5, 21–26, also the Rabbinic exposition sees here the case of a voluntary confession. On the one hand, the Rabbis regarded a false oath as one of the gravest crimes, and declared that it would surely be followed by very serious consequences and punishments for the sinner and his family.[2] On the other hand, they accounted the free admission of sin, and even of the false oath, as a great moral act and a creditable achievement (above, 335 ff.). In an original interpretation of the unfamiliar use of the relative pronoun which opens the subordinate conditional clause in Lev. 4, 22, R. Yoḥanan b. Zakkai said, 'Happy is the generation whose prince brings an atoning sacrifice for a sin committed by him in error, for how much more will he do so for a deliberate sin'.[3] Before sacrificing the sin-offering for his atonement, as R. Joshua informs us, the sinner had not only to be conscious of his sin which he committed unwittingly,[4] but, before the blood of the sacrifice is sprinkled by the priest, he had to inform him that it is intended for a sin-offering, and, as will presently be shown, he has to confess his sin over the head of the live animal. Consequently, the bringing of his sin-offering implies for the prince, just as the same sacrifice does for any Israelite, the admission of his error; and the moral courage evinced on that occasion will enable him to admit with the same frankness an offence committed deliberately. And the prince's confession will encourage the ordinary man to admit his sin, and he will henceforth not hesitate to confess any lapse of his in the observance of the prohibitions of the Torah, whether committed in error or deliberately.[1]

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[1] Mekhil. Exod. 15, 5, 38 b; Mekhil. R. Simeon Exod. 15, 5, 62.

[2] Sifra Lev. 26, 40, 112 b, § 3: והתודו את עונם ואת עון אבותם, לצד התשובה הם הדברים שמיד שהם מתוודים על עונותיהם מיד אני חוזר ומרחם עליהם.

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[1] Shebu'ōth 8, 3; Baba kam. 9, 8: הודה מעצמו משלם קרן וחומש ואשם, cf. Hoffmann, Leviticus, I, 216, and the commentaries on Lev. 5, 23; Ritter, 45, 3.

[2] Tos. Sotah 7, 2. 3; Baraitha Shebu'ōth 38 b ff.; from Lev. 19, 12 Sifra 88 c, § 7 rightly infers that the false oath is a profanation of God.

[3] Baraitha Horay. 10 b; Sifra Lev. 4, 22, 19 c; Tos. Baba kam. 7, 5: תנו רבנן אשר נשיא יחטא, אמר רבן יוחנן בן זכאי אשרי הדור שהנשיא שלו מביא קרבן על שגגתו אם נשיא שלו מביא קרבן צריך אתה לומר מהו הדיוט, ואם על שגגתו מביא קרבן צריך אתה לומר מהו זדונו.

[4] Baraitha Kerith. 19 a bottom: תניא אמר רבי אליעזר . . . אמר לו רבי יהושע הרי הוא אומר אשר חטא בה עד שיוודע לו במה חטא.

4. As very little information of substance has been preserved on the meaning of the atoning sacrifices in the minds of the teachers and of the people before the year 70, every reference of the contemporary writers is of importance for a recovery of the early concepts and interpretations. Sirach refers to atoning sacrifices in connexion with dishonest acts committed against the neighbour, and though his statement is very instructive on the moral issue, it is not clear and definite on the problems raised by Lev. 5, 21–26. He warns, (5, 4) 'Say not, I sinned, and what happened unto me? for the Lord is long-suffering. (5) Concerning atonement be not without fear, to add sin upon sins. (6) And say not, His compassion is great; He will be pacified for the multitude of my sins: for mercy and wrath are with Him, and His indignation will rest upon sinners. (7) Make no tarrying to turn to the Lord; and put not off from day to day: for suddenly shall the wrath of the Lord come forth; and thou shalt perish in the time of vengeance. (8) Set not thine heart upon goods unjustly gotten: for thou shalt profit nothing in the day of calamity.' The first three verses of the chapter are addressed to the same man, and v. 8 makes

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[1] There was, as far as is known, no atoning sacrifice brought and accepted in the case of a deliberate sin, though the words of R. Yoḥanan b. Zakkai convey the reverse impression; see the commentators. One of the few exceptions is in one opinion Lev. 5, 23, see p. 400.

it clear that Sirach dealt here with the acquisition of money and wealth in greed and dishonesty, and that the sin involved was deception and sharp practice employed against many a weaker neighbour. The wrongdoer is all the time conscious of the ever increasing number of his sins; but, as so far God has not visited them on him, he continues his methods without fear, and, confirmed by God's patience with sinners, he is even confident of obtaining atonement, ἐξιλασμός. As Sirach warns this habitual offender not to postpone his turning to God and not to be so sure of being granted atonement in the face of so many sins, it was evidently the belief of the wrongdoer that by appealing to God at any juncture of his sinful career he will be spared punishment. He believed in a long-suffering and merciful God and in His providence, in His watching the actions of every individual and in retribution during man's life on earth. But at the same time he interpreted the attitudes of God in Exod. 34, 6. 7 in a way that suited his greed and his methods of work in satisfying it, and that lulled him into totally unwarranted reliance on God's unending patience with the persistent offender and His unconditional acceptance of the sinner's turning to Him at any moment. Did he think of prayer or sacrifice with restitution? As Sirach adds immediately that on the day of wrath money accumulated dishonestly will not help,[1] his wealth seems to have been his hope of salvation for the day of calamity; is it to bribe God by a great sin-offering, or large gifts to mighty men in some political upheaval? In the parallel passage in 7, 8, Sirach says, 'Bind not up[2] sin twice; for in one (sin) thou shalt not be unpunished. (9) Say not, He will look upon the multitude of my gifts, and when I offer to the Most High God, He will accept them. (10) Be not fainthearted in thy prayer; and neglect not to give alms.'[3]

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[1] Cf. Prov. 11, 4: 'Riches profit not in the day of wrath; but righteousness delivereth from death; 10, 2: Treasures of wickedness profit nothing; but righteousness delivereth from death.'

[2] See J.Q.R. 14, 1923, 57, note.

[3] See O. Schmitz, Die Opferanschauung des späteren Judentums, 60.

In this his assumption the one act of his offering up many sacrifices, defrayed out of his ill-gotten wealth, will be sufficiently effective to pacify God. Even more definite is 34, 18=31, 21, 'He that sacrificeth of a thing wrongfully gotten, his offering is made in mockery; and the mockeries of wicked men are not well-pleasing. (19) The Most High hath no pleasure in the offerings of the ungodly; neither is He pacified for sins by the multitude of sacrifices. (20) As one that killeth the son before his father's eyes is he that bringeth a sacrifice from the goods of the poor. (35, 12=32, 14) Think not to corrupt (God) with gifts; for He will not receive them: and set not thy mind on an unrighteous sacrifice; for the Lord is Judge, and with Him is no respect of persons. (13) He will not accept any person against a poor man; and He will listen to the prayer of him that is wronged. (14) He will in no wise despise the supplication of the fatherless; nor the widow, when she poureth out her tale.'[1] This sinner acquired his wealth by oppressing the poor, he robbed the fatherless and the widow of their property, and while fully aware of his many grave offences against the law and God, he is just as sure that his sacrifices will conciliate God. It is strange that Sirach did not suggest to him to restore to those injured by his cunning devices, his violence and his unscrupulous methods the property of which he had deprived them, and to conciliate them before approaching God for forgiveness. Was it due to the fact that all the gain and property were obtained in the ordinary transactions of business, by the advancement of loans on the poor man's house and field as security which, when the debtor was unable to repay the loan, passed into the possession of the creditor? Legally the whole transaction was perfectly correct, and no reproach attached to the man who perhaps even prided himself on the timely kindness of his loan to his neighbour, when he was in difficulties; but, judged morally, his action, devised for the ultimate acquisition of the helpless neighbour's property, ruined him, and was a crime. If so, the law in Lev. 5, 21 ff. would not apply to him, apart from the consideration that 'oppress' did not include such methods of blatant deception which were covered by the law.[1] Nor was, consequently, the sacrifice which the sinner brought in Sirach's description, a guilt-offering of one ram of the value of two shekels, but some kind of sacrifice of atonement that, according to his means and the degree of his liberality, and also that of his fear of God's wrath, consisted of a number of costly animals intended to impress Him in favour of the sinner.

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[1] See J.Q.R. 13, 1923, 461–4.

Over a century after Sirach the author of Psalms of Solomon in 3, 7 b–10 referred to property unlawfully acquired and to the atonement of the sin involved. 'There lodgeth not in the dwelling of the righteous sin upon sin. (8) The righteous continually searcheth his house to remove completely (all) iniquity (done) by him in error. (9) He maketh atonement for (sins of) ignorance by fasting and afflicting his soul. (10) And the Lord counteth guiltless every pious man and his house.' On account of the occupation of this righteous man goods of other men are brought into his house, and it may easily happen that without his intention an article belonging to another person is left among his own and forgotten. Knowing the gravity of the sin of even unintentional misappropriation, the morally strict righteous man continually searches his house, as by mistake his wife or his children might have regarded the forgotten article, say, of clothing, as belonging to the household, and put it among their own. Such goods are termed by him iniquity, as in Job 11, 14, 'If iniquity be in thy hand, put it far away, and let not unrighteousness dwell in thy tents'; and when his search established the presence of such property in his house, there is no doubt that his first step was to restore the article to its rightful owner, explain to him his error or that of his household, and, having conciliated the man injured without intention, he turned to his God for forgiveness. The atonement which he made for his error and his sin in ignorance was not a sin-offering, but fasting and the affliction of his soul. God accepted it, and declared him and his house cleared from sin. The main difficulty of the atonement is the need of it which is taken for granted. But the only law which could apply to the case does not seem to be Lev. 5, 21 ff., though the latter was referred by some to a denial of property in error and to a false oath taken in error; because the Psalmist refers neither to a denial of the righteous man nor to his false oath both of which appear to be essential for the prescription of the guilt-offering. Unless a strict interpretation of Lev. 5, 21 ff. extended the application of that law to all cases of misappropriation in error, the presence of the atonement in the Psalm of Solomon cannot be accounted for. On the other hand, (9 a) *ἐξιλάσατο περὶ ἀγνοίας* for which Lev. 5, 25. 26 contains no corresponding word בשגגה, may point to Lev. 5, 17–19. Here, it is true, no definite sin illustrates the general introduction, 'And if any one sin, and do any of the things which the Lord hath commanded not to be done, though he know it not, yet he is guilty, and shall bear his iniquity', and, besides, R. Tarfon, a priest who survived the Temple, connected it with v. 15–16 as dealing with a doubtful trespass against the holy things.[1] The righteous, however, did not bring an atoning sacrifice for his sin, but afflicted his soul by fasting,[2] either because he could not afford the two holy shekels for a ram, or because the Psalms of Solomon never refer to sacrifices, as it seems, on principle.

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[1] But Mic. 2, 2, 'And they covet fields, and seize them, and houses, and take them away; thus they oppress a man and his house, even a man and his heritage', applied עשק to such methods of cheating the man of his property in a legal form. See above, p. 378.

Before the sinner proceeds to the Temple to bring his guilt-offering, he should (Lev. 5, 23) 'restore that which he took by robbery, or the thing which he hath gotten by oppression, or the deposit which was deposited with him, or the lost thing which he found, (24) or any thing about which he hath sworn falsely, he shall even restore it in full, and shall add the fifth part more thereto; unto him to whom it appertaineth shall he give it, in the day of his being guilty. (25) And he shall bring his forfeit unto the Lord, a ram.' An early Baraitha[1] states, 'If he brought (to the Temple) his guilt-offering and brought not the goods robbed, (and the priest has slaughtered the ram and received its blood in a vessel), he stirs not the blood of the sacrifice until the sinner has brought the goods robbed; the priest lets the sacrifice lie till its appearance indicates decay, when it is removed to the place of burning'. First it should be noted that the identical verb הביא is used twice, with the goods robbed as with the animal for the sacrifice, so that the repentant sinner was required to bring with him the article, or its equivalent in money, to the Temple, or, at least, to Jerusalem, so that it could thence be brought to the Temple. This is borne out by 'until he has brought the goods robbed', which presupposes that the man either lived in Jerusalem or, if a provincial, had brought with him the article.[2] At a time later than the issue of the decree that the repentant in a certain emergency need not carry the article robbed after the injured person, as before even to Media, but may deposit it and the additional fifth in the court of justice (p. 386), the authorities may have found it necessary to insist on the presence of the article or its equivalent in the Temple; for some sinners brought only the guilt-offering and undertook to settle the restitution later on, or falsely asserted that they had satisfied the claimant, when the atoning sacrifice could not be regarded as valid and effective. And also Matth. 5, 23, 'If then thou bring thy offering to the altar, and thou remember there that thy brother has ought against thee, (24) leave thy offering there before the altar, and go, first be reconciled to thy brother, and then come and bring thy offering', as Dr. Aptowitzer has rightly suggested,[1] refers to the atoning sacrifice of the sinner repenting of a robbery, when, as in the Tosiftha, he first brought the offering to the altar, before he had conciliated the injured man by satisfying his claims by restitution. From that Baraitha it follows that, before sprinkling the blood of the atoning guilt-offering, the officiating priest inquired of the man about the character of his sacrifice and, on learning that it was intended for a guilt-offering, he further questioned him as to the occasion for his sacrifice and reminded him of the preliminary and essential duty of restitution. How much depended for the true understanding, and for a spiritual and moral concept, of the sacrifice in the mind of the average man on the conversation between him and the priest in front of the altar, need hardly be emphasized; another incident to be analysed below will deepen the impression. When after the destruction of the Temple the Day of Atonement had to take the place of all atoning sacrifices public and private, R. Eleazar b. 'Azaryah, before the year 135, formulated the same principle more generally in his interpretation of Lev. 16, 30, 'That ye may be clean from all your sins before the Lord', 'The Day of Atonement atones for sins between man and God, but atones not for sins between man and his neighbour until he has conciliated him'.[2] In the anonymous

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[1] Sifra Lev. 5, 17, 26 b bottom ff.; Kerith. 5, 2. 3; Baraitha Kerith. 22 b.

[2] See Büchler, Types, 138–40.

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[1] Tos. Pesaḥ. 3, 1: הביא אשמו ולא הביא גזילו לא היה ממרס בדמו עד שיביא גזילו אלא תעובר צורתו ויצא לבית השריפה.

[2] In Baraitha Baba kam. 109 a, in the case of the goods robbed of the proselyte, R. Yosé the Galilean, without any cogent reason, refers Num. 5, 8 a to the case, when the robber, and the proselyte who died after the robbery, were provincials: הרי שגזל הגר ונשבע לו ושמע שמת הגר והגר מעלה כספו ואשמו לירושלים; Tos. Baba kam. 10, 16. 17; see also R. Akiba.

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[1] In D. H. Müller, Die Bergpredigt im Lichte der Strophentheorie, p. 13, 3; Abrahams, Studies in Pharisiasm, I, 162; Cambridge Biblical essays, 1909, 188 ff.

[2] Yoma 8, 9; Sifra Lev. 16, 30, 83 a.b: את זו דרש רבי אלעזר בן עזריה, מכל חטאתיכם לפני ה׳ תטהרו, עבירות שבין אדם למקום יום הכפורים מכפר, עבירות שבין אדם לחבירו אין יום הכפורים מכפּר עד שירצה את חבירו. Cf. Baraitha Baba kam. 92 a; Mishnah 8, 7, 'The payments prescribed for wounding a man refer to the compensation for shaming him; but as to his pains, even if he brought all the rams of Nebayōth in

Baraitha[1] the efficacy of the atoning sacrifices and of the Day of Atonement is qualified thus, 'The sin- and the guilt-offerings, death and the Day of Atonement, all of them atone only with repentance'.[2] Repentance, as Lev. 5, 5. 23 ff. has taught us and as R. Akiba and R. Eleazar b. 'Azaryah emphasized, if it concerns matters between man and his fellow, implies in the first place restitution and conciliation. When Veluria, the woman proselyte, asked R. Gamaliel II for an explanation of the alleged contradiction between Deut. 10, 17 a, 'God who regardeth not persons', and Num. 6, 26, 'The Lord lift up His countenance upon thee', both of which read in the Hebrew Pentateuch ישא פנים, R. Yosé the priest answered her question. He said, 'Let me give thee a parable: this is like the case of the man who lent his neighbour a Mina and, when he fixed in the presence of the king the date of its repayment, the debtor swore by the life of the king that he would repay the loan on the appointed day. When the day arrived and he did not pay, and he went to the king to conciliate him, the king said to him, Thine offence against me is forgiven to thee, go and conciliate thy neighbour. So it is also in the Torah, one of the passages refers to sins between man and God, the other to sins between man and his fellow which He forgives not'.[3] R. Yosé the priest, a disciple of R. Yoḥanan b.

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the world, the pains will not be forgiven to the wounder until he has obtained his pardon, as it says, Gen. 20, 7, 'Now therefore restore the man's wife; for he is a prophet and he shall pray for thee'. See also R. Akiba in Sifré zuta Num. 6, 27, 50 Horovitz, above, p. 349 ff.

[1] Tos. Yoma 5, 9: חטאת ואשם ומיתה ויום הכפורים כולן אין מכפרין אלא עם התשובה.

[2] Cf. the Baraitha Shebu'ōth 13 a; Mishnah Yoma 8, 8: תניא יכול יהא יום הכפורים מכפר על שבים ועל שאינן שבים, ודין הוא הואיל וחטאת ואשם מכפרין ויום הכפורים מכפר מה חטאת ואשם אין מכפרין אלא על השבים אף יום הכפורים אין מכפר אלא על השבים, It might have been thought that the Day of Atonement atoned for the sins of persons whether repentant or not repentant of them; but as the sin- and the guilt-offerings only atone for the sins of the repentant, so also the Day of Atonement only atones for the sins of the repentant.

[3] Baraitha Rosh haShan. 17 b bottom.

Zakkai, applied here the distinction between the two classes of sin as an established rule, consequently it was earlier in origin than his application of it. It was probably in Temple times applied to the atoning sacrifices, and may originally have been derived from the guilt-offering enjoined in connexion with embezzlement and robbery in Lev. 5, 21 ff., which had no atoning effect without previous restitution.

In the view of the teachers the atoning effect of the guilt-offering did not depend on its greatness or its price, as, unlike that of the sin-offering, its lowest value was fixed in Lev. 5, 25. 15 at two holy silver shekels[1] which the repentant sinner, of his own free will, could increase. In a more general rule applied to the voluntary offerings in Lev. 1–3 Simeon b. 'Azzai,[2] before 135, emphasizes that important principle.[3] 'See what it says in the section on the sacrifices where the Name of God used is neither אל nor אלהים, but the Tetragrammaton, in order to give the critic no occasion for dispute.'[1] From this emphatic declaration of ben-'Azzai it follows that in his opinion the Jew who brings any sacrifice to the Temple must have a clear, definite idea to whom he is going to sacrifice: to the One God of Israel, and to no other. Again, the Torah describes as 'an offering made by fire, of a sweet savour unto the Lord', alike a big ox, a small pigeon and the meal-offering, to tell us that, whether a man offers a big sacrifice or a small one, to God it is the same, and its acceptance is conditional only on the direction of the heart to God. Accordingly, the wealthy man who appears before God in the Temple with a number of expensive bulls for his sacrifice cannot expect of God a readier and fuller acceptance of his gift and greater favour than the poor man who comes with a pair of pigeons.[2] The man of small means need not feel discouraged in his hope for God's acceptance of his handful of flour and of his prayers, as it is exclusively the fullness of the heart's devotion that confers value upon the offering. Nor should any Jew who brings a sacrifice think

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[1] Sifra Lev. 5, 25, 28 d; 5, 18, 27 a. b; 5, 17, 26 b bottom, 26 c; Kerith. 5, 2. 3; Baraitha 23 a R. Tarfon, R. Akiba and other teachers; cf. Shekal. 2, 4.

[2] The Munich manuscript has only R. Simeon, but Sifré Num. 28, 8, 143, 54 a Simeon b. 'Azzai.

[3] Baraitha Menaḥ. 110 a: (1) אמר רבי שמעון (בן עזאי) בוא וראה מה כתיב בפרשת קרבנות שלא נאמר בהן לא אל ולא אלהים אלא יי שלא ליתן פתחון פה לבעל דין לחלוק, (2) נאמר בשור הגם אשה ריח ניחח ובעוף הדק אשה ריח ניחח ובמנחה אשה ריח ניחח לומר לך אחד המרבה ואחד הממעיט ובלבד שיכוין את לבו לשמים, (3) ושמא תאמר לאבילה הוא צריך תלמוד לומר אם ארעב לא אמר לך כי לי תבל ומלואה ונאמר כי לי כל חיתו יער בהמות בהררי אלף ידעתי כל עוף הרים וזיז שדי עמדי האכל בשר אבירים ודם עתודים אשתה, (4) לא אמרתי אליכם זבחו כדי שתאמר אעשה רצונו ויעשה רצוני, לא לרצוני אתם זובחים אלא לרצונכם אתם זובחים שנאמר לרצונכם תזבחו, ד״א לרצונכם תזבחו זבחו לרצונכם זבחו לדעתכם זבחו. In Sifra Lev. 1, 2, 4 c, § 5 R. Yosé is given as the author of the first statement, but probably he was only the tradent of it; Bacher, Tannaiten, I, 420, 1. In Sifré Num. 143 the concluding part of no. 4 reads differently: אלא מפני מה אמרתי לך זבח לי בשביל לעשות רצוני וכן הוא אומר וכי תזבחו זבח תודה לה׳ לרצונכם תזבחו, Why have I told thee to sacrifice to Me? In order that ye do My will, as it says, Lev. 22, 29. But the verse adduced does not, without violence to its plain meaning, suit the statement; and so Friedmann explains it thus: I do not need it, but it shall be your will to bring the sacrifice. It would be the same idea as expressed by R. Eleazar b. 'Azaryah in Sifra Lev. 20, 26, 93 d top, see above, pp. 60-61, that we have to keep God's commandments, because He willed them;

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but was that the intention of ben-'Azzai in face of the contradictory verse which he quoted? In Pesikt. r. 194 b R. Simeon b. Yoḥai says that God commanded us to offer up before Him on the altar for an atonement the blood which is otherwise despised and serves as a food of dogs, בשביל צורכך לכפרתך תבעתי קרבן ולא שהייתי מבקש לאכול אם ארעב לא אומר לך, for thy benefit and thy atonement I demanded the sacrifice, and not as food for Myself. If the name, R. Simeon b. Yoḥai, is correct, and is not a mistake for Simeon b. 'Azzai, it is clear that R. Simeon b. Yoḥai merely used Simeon b. 'Azzai's idea of the sacrifice and applied it to the blood of the offering only, and interpreted לרצונכם as 'for your benefit and your atonement'. Similarly his son, R. Eleazar b. R. Simeon, in the continuation of Pesikt. r. 194 b in 195 a used the words: But only for thine atonement and thine honour. These scholars spoke here only of obligatory sacrifices atoning for sins, and not of voluntary offerings; cf. Yalkut Makhiri Psalm 50, 30, 139 a, and Schechter, Some aspects of Rabbinic Theology, 298, 3.

[1] In the parallel in Sifré Num. 28, 8, 143; Bacher, Tannaiten, I, 420, 1: שלא ליתן פתחון פה למינים לרדות, to give the heretics no occasion for rebelling (who find support in the Pentateuch for their view of more than one God).

[2] Lev. r. 3, 5; Midr. Psalm 22, 31, 98 b.

that God needed the animal for His food,[1] as already Psalm 50, 13. 10–12, in its polemic against a similar concept clearly demonstrated. Consequently, while approaching the altar of God with the sacrificial animal, the Jew must not, for a single moment, be in doubt about the true nature of God, and while the blood of his sacrifice is being sprinkled and the fat of his offering placed in the fire of the altar, no low, heathen conception of Him and of the use of the sacrifice must possess his mind.[2] And lastly, he should not bring his sacrifice to do the will of God only with the object to induce Him thereby to fulfil his wishes, for the offering is not for His pleasure, but only for our own. But as these high concepts of the sacrifices seem to have been advanced by Simeon b. 'Azzai himself to meet the disparaging criticism by the Jewish Gnostics of the sacrifices and of God who demanded them, it is doubtful whether his ideas were based on earlier traditions related by priests and teachers of Temple times, and were already propounded by scholars before the year 70, when sacrifices were still brought. This doubt appears to be all the more justified, as the teachers of Simeon, R. Joshua and R. Akiba, and his colleagues interpreted some of the public sacrifices as having been offered with a view to obtaining from God definite favours and blessings. So R. Eliezer who had lived for some years in Jerusalem as R. Yoḥanan b. Zakkai's disciple said,[3] 'When on the Feast of Tabernacles the water of the libation was poured out (into the tube leading from the corner of the altar down beneath it), one underground water said to the other, Let thy water flow'. R. Joshua b. Ḥananyah, Simeon's teacher and R. Eliezer's fellow-student in Jerusalem, said,[4] 'Since the destruction of the Temple there has not been a day without some curse, the dew has not come down as a blessing, and the taste of the fruits has been taken away'; R. Yosé added, 'Also the fat of the fruits has been taken away'. R. Akiba explained,[1] 'God said, Bring the measure of barley on the Feast of the Passover that your corn may be blessed, bring the first-fruits on the Feast of Pentecost that the fruits of the trees may be blessed, and also pour out the libation of water on the Feast of Tabernacles that the rains of the year may be blessed'. Also R. Eleazar b. Parta said,[2] 'Since the day of the destruction of the Temple the rains have become a test for the world, for some years have a plenty of rain, others only little'. But it is not clear whether it was the presence of God in the Temple or the regular sacrificial service that ensured the continuous and general blessings for the land, as elsewhere R. Eliezer and R. Joshua asserted that the pilgrimages to Jerusalem closed the door to all troubles.[3] But apart from the atoning effect of the daily sacrifices taught by the two schools, no statements as to the sacrifices of R. Yoḥanan b. Zakkai and of his contemporaries in Jerusalem in the last two decades of the Temple are available. And the homiletical interpretations echoing the loss of the Temple and connecting with it, and accounting by it, for the many and various sufferings of the people of Judaea since the year 70 are no reliable evidence of the existence of the same or a similar interpretation of the atoning sacrifices as taught by priests and scholars. The biblical and the general Rabbinic view is that rain in its proper season is the reward for Israel's obedience to the commandments of God, and not to the bringing of special sacrifices on special occasions. It will, therefore, be necessary to revert to the problem below, when the effects of the atoning sacrifice upon the individual and the people of Israel, and upon their relation to God will be examined.

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[1] Whether the Jewish Gnostics of Simeon b. 'Azzai's time read into the Pentateuch the crude heathen idea that God, or the demiurgos, actually consumed the sacrifices, is not reported; see J. Bergmann, Jüdische Apologetik, 117–18.

[2] See LXX on Dan. 4, 5. 8 = Bel and Dagon, 5 ff.

[3] Baraitha Ta'an. 25 b.

[4] R. Simeon b. Gamaliel in the name of R. Joshua in Sotah 9, 12; Tos. 15, 2; cf. Yer. IX, 24 b, 63.

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[1] Sifré Num. 29, 12, 150, 53 a; Baraitha Rosh haShan. 16 a bottom.

[2] Baraitha Ta'an. 19 b; Bacher, Tannaiten, I, 402, 5; see also the anonymous statement in ARN, IV, 10 a.b, and 2 ARN, 5, 9 b ff.; Tanḥ. תצוה 13; B. 10.

[3] Cant. r. 7, 2.

5. On reaching the inner forecourt of the Temple with the ram which he designated for the guilt-offering, the repentant sinner was directed by one of the priests on duty to the place where the laying of the hands upon the offering had to be performed.[1] In order to obviate a prohibited use of the animal designated and consecrated for the sacrifice for any ordinary purpose, Hillel, before dedicating it, brought the animal to the inner forecourt of the Temple and only there declared it a burnt-offering, laid his hands upon it, and slaughtered it.[2] An instructive account in the Baraitha of the laying of the hands upon the offering gives information about several of its details.[3] 'The laying of the hands is done as follows: the animal is stood up on the north side (of the altar) with its face westward, and laying both his hands between its two horns the owner stands on the east side with his face westward, and confesses over a sin-offering the sin for which the sin-offering is brought, over a guilt-offering the sin for which the guilt-offering is brought, and over a burnt-offering the sin (for which the burnt-offering is

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[1] Hillel, Babba b. Buta, a disciple of Shammai, and some Hillelites laid their hands upon their sacrifices in the inner forecourt of the Temple, Baraitha Beṣah 20 a bottom; Tos. Ḥag. 2, 11. 12; Yer. II, 78 a, 47-62. R. Yosé b. Ḥalaftha reports in Baraitha Ḥag. 16 b; Sifra Lev. 1, 2, 4, b. c: Abba Eleazar told me, Once we had a calf for a peace-offering, and we took it to the forecourt of women, and some women laid their hands upon the calf, not because women, as a rule, lay their hands upon their sacrifices, but only to afford pleasure to them. See also Tos. Neg'aim 8, 9. 10.

[2] Baraitha Pesaḥ. 66 b top; Nedar. 9 b: תניא אמרו עליו על הלל מימיו לא מעל אדם בעולתו אלא מביאה חולין לעזרה ומקדישה וסומך ידו עליה ושוחטה. Philo, De special. leg. I, 198 = De victimis, 5 = M. II, 241, says in connexion with the burnt-offering, 'And let him who brings it wash his hands, and lay them on the head of the victim'.

[3] Yoma 36 a; Tos. Menaḥ. 10, 12; Sifra Lev. 1, 4, 5 d: תנו רבנן כיצד סומך, הזבח עומד בצפון ופניו למערב והסומך עומד במזרח ופניו למערב . . . ומתוודה על חטאת עון חטאת ועל אשם עון אשם ועל עולה עון לקט שכחה ופאה ומעשר עני דברי רבי יוסי הגלילי, רבי עקיבא אומר אין עולה באה אלא על עשה ועל לא תעשה שנתק לעשה.

brought), namely for the failure to leave the gleanings, the forgotten sheaf and the corner of the field, and to give the tithe for the poor; this is the view of R. Yosé the Galilean, but R. Akiba holds that a burnt-offering is brought only for the failure to observe a positive commandment and for the transgression of a prohibition which, if committed, has a remedy in the subsequent carrying out of a positive commandment'. The two scholars, before the year 135, differed only about the last point in the list, about the occasions for bringing a private burnt-offering; but the undisputed main part of the definite statement of R. Yosé the Galilean not only describes the procedure at the first and personal part of the sacrifice, but also shows that the offerer of it had to confess his sin over the animal dedicated for the special purpose named. The exact place assigned to the bringer of the sacrifice in the inner forecourt, evidently by the direction of one of the priests on duty, suggests that the offerer was already at this stage asked about, and had to inform the priest, of the object and the general character of his intended sacrifice, whether it was to be a peace- or a thanksgiving- or a freewill-offering or an atoning sacrifice.[1] Whether the confession was made aloud and publicly, is not stated; but it follows from a remark of R. Simeon b. Yoḥai that till after the slaughtering of the animal nobody could have distinguished the character of the sacrifice, that is, the confession was made inaudibly and privately.[2] Then he was permitted to slaughter the animal himself, or handed it over to a Levite or a priest to slaughter it; the blood received by a priest in a service-vessel of the Temple had to be sprinkled for the atonement of the sinner in a way peculiar to the guilt-offering, and, unlike that of the sin-offering, upon a part of the altar specially assigned to the guilt-offering.[1] Consequently, before the sprinkling the offerer had to inform the officiating priest of the special character of his atoning sacrifice; and, as has been shown, also whether he had conciliated the man whom he had robbed, as otherwise he could not proceed to the essential act of the atonement, the application of the sacrificial blood to the altar.[2]

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[1] The confession over the guilt-offering is again referred to in Sifré Num. 5, 6, 2, 2 a; Num. r. 8, 5: ואשמה הנפש ההוא והתודו, למה נאמר, לפי שנאמר והתודה אשר חטא עליה, אין לי אלא חטאת שטעונה וודוי אשם מנין תלמוד לומר ואשמה הנפש ההוא והתודו, רבי נתן אומר זה בנה אב לכל המתים שטעונים וודוי.

[2] Sotah 32 b: אמר רבי יוחנן משום רבי שמעון בן יוחאי מפני מה תקנו תפלה בלחש שלא לבייש את עוברי עבירה שהרי לא חלק הכתוב מקום בין חטאת לעולה, 'Why have the authorities instituted that the Prayer (the Eighteen benedictions) be recited inaudibly? In order not to put sinners to shame, as the Torah has on the same ground assigned the same place for slaughtering both the sin- and the burnt-offering'. Cf. Yer. Yebam. VIII, 9 c, 67: רבי לוי בשם רבי שמעון בן לקיש במקום

It is of interest to compare three actual incidents of different periods, and to observe the conduct of the priests on duty at the altar towards the offerers of private sacrifices and their attitude to public and private offerings. In the first instance, reported by the non-Jewish historians Strabo and Livy and preserved by Nikolaos of Damascus

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אשר תשחט העולה תשחט החטאת לפני ה׳ שלא לפרסם את החטאים. Professor Ginzberg in MGWJ. 56, 1912, 295, and Eine unbekannte jüdische Sekte I, 1922, 59, discusses that question in connexion with a passage in the Zadokite Fragment, which, in his interpretation of 9, 13, ordered the sinner to confess in the presence of the priest. In support of this he refers to מדרש תדשא in A. Epstein, מקדמוניות, XXXV: למה גזר הקב״ה לשרוף פר החטאת בפרהסיא חוץ למחנה, אלא רצה הקב״ה ללמד שלא יהא אדם מתבייש להתוודות חטאתו לפני כהן שכן כתיב והתודה אשר חטא עליה שיאמר כהן גדול לא נתבייש ממני אני לא אתבייש ממנו. Cf. Tos. Ta'an. 1, 8, above, p. 369.

[1] In Baraitha Zebaḥ. 10 a bottom; Tos. 1, 1, R. Eliezer and R. Joshua explicitly state that the blood of the sin-offering was sprinkled above the line halving the height of the altar horizontally, Midd. 3, 1; Bar. Zebaḥ. 53 a, see Sotah 32 b, while that of the guilt-offering was sprinkled below the line. See Abrahams, Studies in Pharisaism II, 184.

[2] In Pesikt. r. 194 b, in the passage discussed above, p. 412, 3, R. Simeon b. Yoḥai says, 'Though blood is despised and serves as a food of dogs, God said that we should bring a sacrifice and apply its blood to the horns of the altar, כדי שיכפר דם על הדם, in order that the blood might atone for the blood of man. This explanation is based on the assumption that by sinning man forfeits his life and that the atonement by the blood of the atoning sacrifice redeems it. See below, p. 425 ff.

in Josephus,[1] when the Romans under Pompey conquered Jerusalem in the year 63 B. C. E. and entered into the Temple, 'the priests engaged in offering up the sacrifice preferred to suffer whatever came upon them at their very altars to omitting anything that their laws required of them'. On another occasion,[2] in the sore famine during the reign of the emperor Claudius and under the high-priest Ishmael, when no less than seventy cori of flour were brought into the Temple at the Feast of unleavened bread, 'not one of the priests was so hardy as to eat one loaf of it, even while so great a distress was on the land'. In the third account it is recorded, 'Simeon the Just stated that he had never eaten of the guilt-offering of the defiled Nazirite, and only once he had no hesitation to do so. It was when a Nazirite from the Darom came to the Temple to have his hair shaved; he had beautiful eyes, was of good looks and had magnificent curls. "I asked him, My son, what made thee undertake to destroy thy beautiful hair?" He replied, "I was in my town my father's shepherd, and when I one day went to draw water from a well and saw mine image in the water, my impulse seized me and strove to drive me out from the world; but I said, Thou, wicked, why boastest thou of what is not thine and will once turn into maggots and worms? I swear that I shall cut thee off in honour of God!" I kissed him on his head, and said to him, My son, may many like thee be Nazirites in Israel, for to thee applies Num. 6, 2, When either man or woman shall distinguish a vow, the vow of a Nazirite, to consecrate himself unto the Lord.'[3] First, we see the high-priest enter into conversation with a man who came to the Temple to bring a guilt-offering, and he learns the character of the intended offering; though such a sacrifice was probably not a rare occurrence, he inquires about the occasion for the atoning offering, and, on hearing the exceptional nature of it, he continues his questioning, as the religious motive of the offerer's vow will determine the attitude of the high-priest to the sacrifice and his partaking of its flesh belonging to the priests on duty. At the same time he explains to the bringer of the guilt-offering the true principle of the extraordinary and sacred vow which led up to his sacrifice; and though he otherwise objected to the light-minded undertaking of such a vow by certain persons, he praised this Nazirite and his moral and religious attitude of mind. The characteristic incident occurred in the last decades of the Temple,[1] when there seems to have prevailed a wide-spread inclination to undertake the vow of the Nazirite,[2] which determined the opposition of the pious high-priest. It is instructive to watch his questioning of the visitor to the Temple, his high-minded attitude to the Nazirite and his sacrifice, his criticism of hasty vows, and the intimate relations between the officiating priest and the bringer of a sacrifice, who now leaves the Temple with a purer concept of the sacrifices and a fuller knowledge of God and His demands.

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[1] Antiquit. 14, 4, 3, 67; Wars 1, 7, 4, 148.

[2] Antiquit. 3, 15, 3, 321; above, 146, 3.

[3] Baraitha Nedar. 9b; Yer. Nazir I, 51c, 40; Tos. 4, 7; Sifrê Num. 6, 2, 22, 7a ff.; Geiger, Urschrift, 32 491; Weiss, Geschichte I, 85.

There is no trace of legalism and formalism in the attitude of the thoroughly genuine offerer from the moment when his struggle with his own vanity brought the oath and the vow upon his lips, to his attendance at his guilt-offering in the inner forecourt of the Temple. Nor is any external, ceremonious conduct to be espied in the bearing and teaching of the God-fearing high-priest from the time of his refusal to regard the guilt-offerings of some Nazirites as satisfying in their motives the religious standard of the vow to the moment of his full approval of the motive of the last Nazirite in undertaking the vow. And there may be added the apparently academic statement of the Baraitha[3] that undoubtedly reflects actual incidents in daily life and practical teaching by priests of the time of the Temple.

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[1] See Büchler in Recueil des travaux en mémoire du Jubilé scientifique de D. Chwolson, 8-21.

[2] See Büchler in J.Q.R. 10, 1898, 700 ff.; Acts 21, 23. 26.

[3] Tos. Nega'im 6, 7; Sifra Lev. 14, 35, 73 a, § 7; above, p. 171; 210, 1.

'When a man comes to the priest and informs him that symptoms of leprosy have appeared on the walls of his house, the priest says to him, Go, and examine thyself and repent, for leprosy comes only for evil speech and for pride, and God judges man with consideration.' If all the details of the priest's impressive warning are of Temple times (p. 210), we see him here in his part as the teacher of the people, which he undertook whenever his official contact with the individual Jew offered opportunities for practical religious instruction. As the Pharisaic teachers believed, so did this priest believe in God and His watching the actions of every individual, to reward the good and to punish the sinner. Visitations are sent upon man on earth by God for sins committed, and illness in general, and leprosy in particular, as in the instance of Miryam in Num. 12, 10, in Geḥazi's in 2 Reg. 5, 27, and king 'Uzziyyah's in 2 Chron. 26, 19–21, are punishments for disobedience to the commandments of God; and therefore they indicate the presence of sins in the sufferer, which should be established by man's self-inspection and removed by his repentance. God deals with man, and judges him, with consideration, therefore any chastisement points to graver offences; He should, consequently, not be reproached with harshness, but His warning should be accepted in humility and should lead to self-purification. Even the special kind of sins that caused the terrible disease of leprosy was deduced from the incidents just mentioned; and it is important that the offences inferred from the chastisements were committed neither against the laws of levitical purity, nor tithing or any so-called ceremonial duty, but were the moral sins of the evil tongue and of pride.

Private atoning sacrifices, it seems, were not frequent during the year, but were brought by the pilgrims during the three festivals of pilgrimage for offences committed in the meantime, as will be seen further on. Here, however, reference has first to be made to an anonymous statement of uncertain date bearing on the atoning sacrifice.[1] 'They asked Wisdom, What is the punishment of the sinner? She replied to them, Prov. 13, 21, "Evil pursueth sinners". They asked prophecy, What is the punishment of the sinner? She answered, Ezek. 18, 4, "The soul that sinneth, it shall die". They asked God, What is the punishment of the sinner?' He answered, Let him repent, and it will be atoned for to him, as it is written, Psalm 25, 8, "(Good and upright is the Lord,) therefore doth He instruct sinners in the way", He shows sinners the way to repent.' From the fuller quotations in Pesiktha and Yalkut Makhiri a fourth sentence has to be supplied, 'They asked the Torah, What is the punishment of the sinner? She answered them,

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[1] Yer. Makk. II, 31 d, 64 : שאלו לחכמה חוטא מהו עונשו אמרה להם

חטאים תרדף רעה, שאלו לנבואה חוטא מהו עונשו אמרה להן הנפש החוטאת היא תמות, שאלו לקודשא בריך הוא חוטא מהו עונשו אמר להן יעשה תשובה ויתכפר לו היינו דכתיב על כן יורה חטאים בדרך יורה לחטאים דרך לעשות תשובה. In Pesikt. 158b the wording is different: שאלו לחכמה חוטא מה עונשו אמרה להן הנפש החוטאת היא תמות, שאלו לתורה חוטא מה עונשו אמרה להן יביא אשם ויתכפר לו הדא הוא דכתיב ונרצה לו לכפר עליו, שאלו להקדוש ברוך הוא חוטא מה עונשו אמר להן יעשה תשובה ויתכפר לו הדא הוא דכתיב טוב וישר ה׳ על כן יורה חטאים בדרך. In Yalkut Makhiri Psalm 25, 8, 85b the passage taken from Yer. Makkōth reads: שאלו לתורה החוטא מהו עונשו אמרה להם יביא קרבן ויתכפר לו, שאלו לנבואה החוטא מהו עונשו אמרה להם הנפש החוטאת היא תמות, שאלו לדוד הנפש החוטאת מהו עונשה, אמר להם יתמו חטאים מן הארץ ורשעים עוד אינם ברכי נפשי את ה׳ הללויה, שאלו לחכמה חוטא מהו עונשו אמרה להם חטאים תרדף רעה, שאלו להקדוש ברוך הוא החוטא מהו עונשו אמר להם יעשה תשובה ואני מקבלו שנאמר טוב וישר ה׳ על כן יורה חטאים בדרך, למה שהוא טוב והוא ייישר בקדמייה, 'They asked the Torah, What is the punishment of the sinner? She answered them, Let him bring a sacrifice and it will be atoned for to him; they asked prophecy, What is the punishment of the sinner? She answered them, The soul that sinneth, it shall die; they asked David, What is the punishment of the soul that sinneth? He answered them, Psalm 104, 35, Let sinners cease out of the earth, and let the wicked be no more. Bless the Lord, O my soul. Halleluyah. They asked Wisdom, What is the punishment of the sinner? She answered them, Evil pursueth sinners; they asked God, What is the punishment of the sinner? He answered them, Good and upright is the Lord, therefore doth He instruct sinners in the way; why? because He is good and will make the way straight before him'.

Let him bring a sacrifice (guilt-offering), and it will be atoned for to him, as it says, Lev. 1, 4, "And it shall be accepted for him to make atonement for him"'. It is clear that the author of the statement looked for an answer to his great question as to the condign punishment of the sinner, not after his death, but, as the last two items show, while on earth. He searched the three parts of the Bible, the Torah, the Prophets and the Hagiographa, and the third group of books is represented in his answer by the book of Proverbs quoted as Wisdom. As there is only one quotation from each group to support the answer, there is hardly any doubt that the verse adduced from the Hagiographa could have been quoted either from Proverbs or from Psalms only, but not from both. A scholar reading the statement found that Ezekiel's verse did not refer unequivocally to the punishment of the sinner while on earth, and that the words might be referred to the death of his soul in heaven after his demise; therefore he added Psalm 104, 35, where the destruction of the sinners on earth is explicitly stated. Whether a thought of R. Meir's application of that verse in Berakh. 10a top, contributed to the desire of the author to add it to the statement, it is impossible to say. The order in which the answers, and in accordance with them also the questions, are arranged suggests that the author began with the strictest punishment during man's life, suffering, then came premature death, a sacrifice, and last repentance. But it is difficult to understand that he should have applied to the last two the term punishment, though we find that also R. Yosé the Galilean describes the guilt-offering which is the only sacrifice of a fixed and high value, as ענש,[1] the same word as used here; so only repentance as punishment remains unexplained.[2] Though the guilt-offering could not possibly be brought without previous repentance, as it alone led the sinner in Lev. 5, 21 ff. to confess his sin and to restore the goods robbed, and though also his confession over his sacrifice expressed his repentance, the author of the statement sets down in his list the sinner's repentance as distinct from the guilt-offering. Was it because repentance has a much wider range and extends to sins for which a sacrifice is neither prescribed nor admissible, and is open to man anywhere and at any time? Or was it the intention of the author to show the greatness of the gift bestowed by God upon man and the easy way to atonement and forgiveness through repentance which, unlike the guilt-offering, involved no expense whatever? Interesting is the use of ויתכפר for the effect not only of the guilt-offering, but also of repentance; it is an extension of the use of the active verb in the statement of R. Yehudah b. Ilai[1] and in another by an unnamed teacher, probably R. Ishmael. As to the sacrifice atoning for sin, if the correct reading is the general term קרבן, it includes the sin- and guilt-offering and, according to Lev. 1, 4 quoted here, also the burnt-offering,[2] and extends to all offences, positive and negative, committed unwittingly. If, on the other hand, the correct reading is אשם (and the consideration that no later scholar would have substituted the difficult אשם for the smooth קרבן, while the verse quoted in support would easily have suggested the substitution of קרבן to include the burnt-offering, Lev. 1, 2. 3,

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[1] See p. 400, 1; this would justify the reading אשם as against the general term קרבן in our statement.

[2] So long as the sins were committed in private, the repentance of them could be a private matter of the sinner's heart; but after sinning publicly, repentance would have to be accompanied by a public confession of sins, and already Sirach 4, 26 warns, 'Be not ashamed to make

confession of thy sins'; cf. 8, 5, 'Reproach not a man when he turneth from sin: remember that we are all worthy of punishment'.

[1] Baraitha Yoma 86 a top: תא שמע רבי יהודה אומר כל שהוא מלא תשא ולמטה תשובה מכפרת, מלא תשא ולמעלה תשובה תולה ויום הכפורים מכפר . . תניא על מה תשובה מכפרת על עשה ועל לא תעשה שניתק לעשה, ועל מה תשובה תולה ויום הכפורים מכפר על כריתות ועל מיתות בית דין ועל לא תעשה גמור. The anonymous Baraitha in its second part contains R. Ishmael's rule in his full statement about the various means of atonement for light and grave sins in Baraitha Yoma 86 a and parallels, see above, p. 346, and Mishnah Yoma 8, 8; the first part of the anonymous Baraitha substitutes repentance for the burnt-offering in R. Akiba's rule in Baraitha Yoma 36 a and parallels, above, p. 416, 3.

[2] Baraitha Yoma 36 a, above, p. 416, 3.

strongly supports it), the author had in mind specially those sins to atone for which the guilt-offering had to be brought. Of the five certain occasions for that sacrifice[1] there may be excluded as very exceptional and therefore not thought of in a general statement about the sinner the leper after being healed, the Nazirite who was accidentally defiled through a human corpse, the man who had carnal intercourse with a bondwoman betrothed to another man, Lev. 19, 20–22, and the trespass by error in the holy things of God, Lev. 5, 15. 16, so that only the misappropriation of another man's goods remains. To this has to be added the doubtful guilt-offering to be brought when a man is not sure whether he has transgressed unwittingly one of the prohibitions the penalty of which is cutting off. The various transactions in daily business with one's fellow-man easily involve the most scrupulous person in what strict honesty regards as dishonest gain, termed by Rabbinic law robbery. So already Sirach in 27, 2 had occasion for emphasizing it, 'Sin will rub itself in between buying and selling';[2] and the ancient pious men brought every day a doubtful guilt-offering, to clear themselves from any error of a grave religious nature possibly committed on the previous day.[3]

6. The sprinkling of the blood of the guilt-offering by the priest against the altar and the subsequent burning of its fat upon the altar, Lev. 7, 2-5, is summed up in Lev. 5, 26 in the words, 'And the priest shall make atonement (upon the altar)[4] for him before the Lord'. But though Lev.

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[1] Zebaḥ. 5, 5 : אלו הן אשמות אשם גזילות אשם מעילות אשם שפחה חרופה אשם נזיר אשם מצורע אשם תלוי.

[2] See J.Q.R. 13, 1923, 473.

[3] Kerith. 6, 3 ; Tos. 4, 4 ; Büchler, Types, 73 ff.

[4] In the technical language of the schools the sprinkling of the blood is termed 'atonement' on Lev. 17, 11 ; 6, 23, in Mekhil. Exod. 20, 24, 73 b top : והדין נותן ומה אם צפון המזבח שאינו כשר לכפרה כשר לשחיטה ראש המזבח שהוא כשר לכפרה דין הוא שיוכשר לשחיטה, והרי המזבח הפנימי יוכיח שהוא כשר לכפרה ואינו כשר לשחיטה והוא יוכיח על מזבח החיצון אף על פי שהוא כשר לכפרה לא יוכשר לשחיטה . . ואינו גומר הכפרה . . הבשר והדם בראש המזבח ואין שחיטה בראש המזבח, רבי יוסי אומר . . . Cf.

17, 11, ‘And I have given it (the blood) to you upon the altar to make atonement for your souls; for it is the blood that maketh atonement by reason of the life’, explicitly declares that it is the blood of the sacrifice that atones, usually, as in some cases in the Bible, the atonement is ascribed to the sacrifice as a whole. So R. Yoḥanan b. Zakkai says to his disciples and colleagues, ‘As the sin-offering atones for Israel, charity atones for the Gentiles’.[1] The Levite of Temple times R. Yoḥanan b. Gudgeda testified that if a stolen animal was brought as a sin-offering and the theft was not publicly known, it atoned, as a protection of the altar.[2] As the atonement was effected in the Temple on the altar, it was ascribed to the altar,[3] as R. Yoḥanan b. Zakkai said on Exod. 20, 25, ‘The sword is a sign of chastisement, while the altar is the symbol of atonement:[4]

Baraitha Yoma 40 b: תניא לכפר, בכפרת דמים הכתוב מדבר וכן הוא אומר וכלה מכפר את הקדש מה להלן בכפרת דמים אף כאן בכפרת דמים דברי רבי יהודה, רבי שמעון אומר לכפר עליו בכפרת דברים הכתוב מדבר, on Lev. 16, 20. See also Sifra Lev. 1, 4, 5 d, § 9; R. Akiba in Zebaḥ. 8, 11. 12.

[1] Baraitha Baba bath. 10 b as an interpretation of Prov. 14, 34, ‘Righteousness exalteth a nation; but sin is a reproach to any people’, תניא אמר להם רבן יוחנן בן זכאי כשם שהחטאת מכפרת על ישראל כך צדקה מכפרת על הנכרים. Cf. the two schools in Zebaḥ. 4, 1.

[2] Gittin 5, 5; ‘Eduy. 7, 9: העיד רבי יוחנן בן גודגדא . . ועל חטאת הגזולה שלא נודעה לרבים שהיא מכפרת מפני תקון המזבח; the protection is explained in Yer. Gittin, V, 47 b, 5: so that the altar should not be desolate; in b. Gittin 55 a bottom ‘Ulla explains it: that the priests should not grieve, because they had eaten of the unhallowed animal a sacrificial meal, and in consequence the service upon the altar should not suffer.

[3] Philo, De special. leg. I, 215 = De victimis, 7 = M. II, 244 says, ‘The altar of God by which pardon and complete forgiveness of all sins and offences shall be effected’.

[4] Mekhilt. R. Simeon Exod. 20, 25, 116; Tos. Baba kam. 7, 6: זו היא שרבן יוחנן בן זכאי אומר מה ראה ברזל ליפסל מכל מיני מתכות כולן, מפני שחרב נעשית ממנו חרב סימן פורעניות ומזבח סימן כפרה מעבירין דבר שהוא סימן פורענות מפני דבר שהוא סימן כפרה, והלא דברים קל וחומר ומה אבנים שאינן לא רואות ולא שומעות ולא מדברות על שמטילות כפרה בין ישראל לאביהם שבשמים אמר הקב״ה לא תניף עליהם ברזל בני תורה שהן כפרה לעולם על אחת כמה וכמה שלא יגע בהם אחד מכל מזיקין שבעולם. Tos. has: על שמטילות בהן כפרה, as upon the stones, or by

the stones of the altar place atonement between Israel and their Father in heaven'.[1] Naturally it came to be stated that the whole Temple was the place of atonement, 'One day when R. Yoḥanan b. Zakkai came out from Jerusalem, and R. Joshua, walking behind him, saw that the Temple had been destroyed, the disciple exclaimed, Woe to us that this has been destroyed, the place where they atoned for the sins of Israel!'[2] R. Yoḥanan said to him, 'My son, grieve not, we have a means of atonement that is like it, as it says, Hos. 6, 6, For I desire mercy, and not sacrifice'.[3] As has been shown above (p. 321, 1), perhaps already R. Yoḥanan b. Zakkai interpreted the name Lebanon to refer to the Temple, because the latter made the sins of Israel white. The statement is also ascribed to R. Simeon b. Yoḥai who adds to it, 'as it is written, Is. 1, 18, Though your sins be as scarlet, they shall be as white as snow'.[4] All these teachers referred to the atonement of the sins of the people of Israel by the public atoning sacrifices, the sin-offerings brought on every New Moon's day, on every one of the festivals, and especially on the Day of Atonement. As has been shown above (p. 319 ff), the two schools in their Haggadic interpretations of the word כבשים used in Num. 28, 3 in

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the means of the stones; but to whom could the feminine participle refer? The parallelism with the scholars demands that the participle should refer to the stones. In fact בהן is not present in the editions.

[1] In Tos. Sotah 13, 10 R. Yoḥanan said to the priests who beat the sacrificial animal with sticks between its horns until it bled: How long will you cause the altar to eat טרפות? in Baraitha Sotah 48 a: עד מתי אתם מאכילין נבלות למזבח, Yer. IX, 24 a, 64: אמר להן יוחנן כהן גדול עד מתי אתם מאכילין את המזבח נבילות, 'Yoḥanan the high-priest said to them, How long will ye cause the altar to eat carcass?' The altar eats the sacrifices.

[2] ARN, IV, 11 a: אמר ר' יהושע אוי לנו על זה שהוא חרב מקום שמכפרים בו עונותיהם של ישראל.

[3] כמותה refers to the feminine noun כפרה. In the parallel in 2 ARN, VIII, 11 b, 'Woe to us that the house of our life, the place which was atoning for our sins has perished! He said to him, Fear not, we have a means of atonement in its stead, תחתיה'.

[4] Baraitha Lev. r. 1, 2; anonymous in Sifré Deut. 1, 7, 6, 16 b; 3, 25, 28, 71 b; Sifré Num. 27, 12, 50 b; Gittin 56 b top; of the sins of the individual in Aggad. Cant. 4, 8. See above, p. 321, 1.

connection with the daily public sacrifice, a burnt-offering, ascribed to it a certain effect upon the sins of Israel, the Shammaiites that of pressing down and submerging them, and the Hillelites that of washing them. Though their interpretations were clearly Haggadic, just as R. Yoḥanan b. Zakkai's reference of Exod. 20, 25 to the identical great and encouraging force of the atoning sacrifices, the biblical support was secondary in their instruction, while the religious concepts themselves were primary constituent elements in the thoughts and beliefs of the two schools and of R. Yoḥanan.

Though the daily public sacrifice in Num. 28, 1–8 is termed neither a sin- nor a guilt-offering, it was represented by the two schools as having the same, or a similar, effect upon the sins of Israel as the public sin-offerings brought on the festivals and the New Moons.[1] It would seem that the two schools were not the first to teach the idea mentioned. For Lev. 16, 24, in the description of the sacrificial service of the Day of Atonement states, 'And he shall offer his burnt-offering and the burnt-offering of the people, and make atonement for himself and for the people'; the burnt-offering has here the same atoning character and force as the sin-offering in vv. 6. 11. 17, and the technical terms applied are the same in both.[2] Also in Lev. 9, 7,

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[1] Scholars of the middle of the second century, R. Meir, R. Yehudah b. Ilai and R. Simeon suggested various definite sins for which the public sin-offerings atoned, Tos. Shebu'ōth 1, 1–3; Mishnah 1, 2–7 and Baraithas Shebu'ōth 2 a ff.; Yer. I beginning. It was especially R. Simeon in Tos. Shebu'ōth 1, 2. 3, who saw in the thirty-two annual sin-offerings the atonement for the defilement of the Temple and its holy things, טומאת מקדיש וקדשיו, of which the sinners were neither aware nor conscious. An anonymous Baraitha, very probably R. Simeon's, in Tos. 1, 2 declares that the people of Israel really ought to bring two goats as a daily sin-offering, but God spared Israel's money. He does not refer to the atoning effect of the daily burnt-offerings.

[2] See R. Akiba and R. Eliezer in Zebaḥ. 8, 11; and Baraitha Yer. Yoma V, 43 a, 11; Zebaḥ. 51 a; Sifra Lev. 4, 25, 21 b, § 2: תני אמר רבי ישמעאל מה אם שירי חטאת שאינן מכפרין נותנין על היסוד תחלת עולה שהיא מכפרת אינו דין שתינתן על היסוד. אמר לו רבי עקיבה לא אם אמרת בשירי חטאת שאינן מכפרין ואינן ראויין לכפר נותנין על היסוד תחלת

'And Moses said unto Aaron, Draw near unto the altar, and offer thy sin-offering and thy burnt-offering, and make atonement for thyself and for the people; and present the offering of the people, and make atonement for them'. But those atoning burnt-offerings were brought only once a year and would hardly have suggested directly an extension of their exceptional effect to the daily public burnt-offerings. It seems that some decades before the year 70 the regular monthly atonement appeared to some scrupulous scholars and pious men in Jerusalem insufficient for the sins of the people. Perhaps the continuous suffering of the country under the Roman governors suggested to the troubled minds the idea that the Jews of Judaea were burdened with sin. Not that their generation would be regarded as more careless in deliberate sins, for such could not be atoned for by any public sin-offering; but it was perhaps not sufficiently careful in avoiding offences in error, because under the Roman oppression and the consequent political unrest general piety and the conscientious observance of the Torah were naturally declining, and unintentional, unconscious lapses might occur frequently. The ancient pious men longed for some special opportunities for bringing sin-offerings, and for that purpose undertook repeatedly the vow of the Nazirite;[1] and Babha b. Buta brought every day a doubtful guilt-offering.[2] Had they known anything yet of the atoning force ascribed to the daily public burnt-offerings and extending to all unknown sins of every individual Jew, they would hardly have felt the need of a

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עולה שהיא מכפרת וראויה לכפר אינו דין שתינתן על היסוד. In the anonymous Baraitha Tos. Shekal. 1, 6: מפני שקרבנות צבור מרצין ומכפרין בין ישראל לאביהם שבשמים, 'the public sacrifices conciliate, and bring atonement between Israel and their Father in heaven'; but the most important public sacrifices are the daily burnt-offerings, so they were interpreted as atoning sacrifices. See also Hoffmann, Einleitung in die halach. Midraschim, 76, and Num. 8, 12.

[1] Baraitha Nedar. 10 a; Tos. 1, 1; Yer. I, 36 d, 46; see Büchler, Types, 76.

[2] Kerith. 6, 3; Tos. 4, 4; Büchler, Types, 73.

special and individual atoning sacrifice of their own. Consequently, the attribution of atoning force to the two daily public burnt-offerings for the sins of the whole people suggested itself most probably after Babha b. Buta's daily guilt-offering which possibly caused the authorities to look out for a new general means of atonement. Now, Babha b. Buta was a personal disciple of Shammai and, in the natural course of things, survived his master and Hillel, and actually was a member of the school of the Shammaiites who referred to the atoning effect[1] of the daily burnt-offerings.[2] Though belonging to a totally different circle, Jubil. 6, 14 may be quoted here. 'They shall observe it throughout their generations, so that they may continue supplicating on your behalf with blood before the altar; every day and at the time of morning and evening they shall seek forgiveness on your behalf perpetually before the Lord that they may keep it and not be rooted out. (50, 11) This work alone shall be done on the Sabbath-days in the Sanctuary of the Lord your God; that they may atone for Israel with sacrifice continually from day to day for a memorial well-pleasing before the Lord.' The author also held that the sprinkling of the blood of the daily burnt-offering was accompanied by prayers for forgiveness, as the sacrifice itself atoned.[1]

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[1] In the Baraithas dealing with the אנשי מעמד who during the one week, when the representative priests, Levites and Israelites of their district were due in the Temple of Jerusalem, met for daily prayers in the central town of their district, it is reported, Ta'an. 27 b; Yer. IV, 68 b, 10; Soferim 17, 5, that they prayed for the security of travellers on land and at sea, and for the health of the children and of expectant mothers. If these prayers reflect the meaning attributed to the daily public offerings, the latter were sacrifices of prayer and supplication, and not atoning offerings. The object of the institution of the אנשי מעמד in Jerusalem and in the provinces still needs special examination, see A. Schwarz in MGWJ. 64, 1920, 48–53. We have no information by what attitude of his mind the individual member of the nation, or the nation as a whole through its representatives at the altar, participated in the atonement of the atoning sacrifice. See H. R. Mackintosh, Forgiveness and the Church, in the Constructive Quarterly, 10, 1922, 240 ff.

[2] Philo, De special. leg. I, 169 = De victimis, 3 = M. II, 239, interpreted the two daily burnt-offerings as thanksgiving for God's benefactions by day and by night (see Schmitz, Opferanschauung, 136); but that can hardly be adduced as evidence against the assumed existence of the idea of the atoning force of that sacrifice in the Pharisaic and Rabbinic schools in Jerusalem. For Philo's interpretations of that sacrifice are of his own ethical and philosophical tendency, and in their more definite and substantial explanations may reflect the prevailing notions of the Sadducees, probably coinciding with the Pharisaic view before the new attribution of the atoning effect to those burnt-offerings.

There is only scanty information available regarding the actual practice of bringing private sin-offerings to make atonement, as in the case of the guilt-offering of the deliberate robber, for certain sins committed unwittingly. Lev. 12, 6 enjoins, 'And when the days of her purification are fulfilled, for a son or for a daughter, she (the woman after child-birth) shall bring a lamb of the first year for a burnt-offering, and a young pigeon, or a turtle-dove, for a sin-offering, unto the door of the tent of meeting, unto the priest. (8) And if her means suffice not for a lamb, then she shall take two turtle-doves, or two young pigeons: the one for a burnt-offering, and the other for a sin-offering.' The text does not indicate for what special sin the sin-offering is prescribed, and the Rabbis as well as modern commentators suggest various explanations. Similarly in the case of the woman who has 'an issue of her blood many days not in the time of her impurity, or if she have an issue beyond the time of her impurity', Lev. 15, 25. (28) 'But if she be cleansed of her issue, . . . (29) and on the eighth day she shall take unto her two turtle-doves, or two young pigeons, and bring them unto the priest, to the door of the tent of meeting.' It is stated in the Mishnah, 'The woman who has to bring the sacrifices due in connexion with five child-births or five occasions of issue, shall bring one sacrifice, and may after that eat of the sacrificial meal, whereas the remaining sacrifices she will have to bring later on. When on a certain occasion a pair of pigeons cost in Jerusalem two gold denars, R. Simeon b. Gamaliel said, By this Temple! I shall not allow the night to pass, before they will cost two silver denars only. He went to the beth-din and carried the rule that the woman who has to bring five sacrifices in connexion with five child-births or five occasions of issue need bring only one sacrifice and may eat of the sacrificial meals, and there is no further obligation upon her to bring the remaining sacrifices; the result was that a pair of pigeons cost on the same day only two quarters (of a silver denar).’[1] To be permitted to eat of the Paschal lamb, the women had to bring first the atoning sacrifice; of course, their husbands knew that, when they decided to take their wives with them to the celebration of the festival in Jerusalem, but relied on easily obtaining pigeons in the market there. On arriving in Jerusalem they found that their price was extortionate; and as, in addition, for five years or longer, after repeated child-births or several occasions of issue the women had not offered the prescribed sacrifices, and, according to the existing law, had now to bring five pairs of pigeons, their husbands could not afford the price demanded. How their past neglect arose, it is not easy to explain; did some political disturbance for several years prevent the women from travelling in safety to Jerusalem, and were not their husbands permitted to bring their sacrifices for them in their absence, or had even the men stayed away from attending in the Temple on the festivals of pilgrimage for several years in succession? Whatever the cause, the demand for pigeons rose suddenly, and the speculating traders raised the price considerably.[2] And it is interesting that the Rabbinic sources give some definite information about the supply of the pigeons required for the sacrifices, and it would seem that there was no scarcity to be feared.[1] Another incidental statement reports how three women brought to the Temple pigeons for sacrifices and indicated by different terms that every one of the offerings was due in connexion with an issue.[2] The same applied to the sacrifices which the leper had to bring after he recovered from his illness, Lev. 14, 10, 'And on the eighth day he shall take two he-lambs without blemish, and one ewe-lamb of the first year without blemish, and three tenth parts of an ephah of fine flour for a meal-offering, mingled with oil, and one log of oil. (12) And the priest shall take one of the he-lambs, and offer him for a guilt-offering. (19) And the priest shall offer the sin-offering, and make atonement for him that is to be cleansed because of his uncleanness; and afterwards he shall kill the burnt-offering', (see v. 22). It is stated in the early Mishnah[3] that four assignments for libations sold by an official were in use in the Temple, and there was written in Hebrew on the assignments: for the libation with a young bull, with a ram, with a kid, for the sinner; ben-'Azzai says, There were five assignments, and there was written on them in Aramaic . . ., the fifth falling into two groups: the poor sinner and the wealthy sinner. The sinner is stated to be the leper[4] whose sacrifices vary according to his means, Lev. 14, 21. 22. In the four corners of the fore-court of women were built four chambers, one of them was the chamber of the lepers,[1] and the Mishnah informs us where the women after child-birth and the lepers after their recovery were purified;[2] so that the number of sin-offerings of these classes was fairly large.

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[1] R. Yehudah b. Simon, of the beginning of the fourth century, applied the idea to the individual Jew, Pesikt. 61 b; 122 a; Pesikt. r. 15, 78 b; 16, 84 b; Cant. r. 1, 9, 6; Tanḥ. פנחס 13; B. 12; Yelamdénu פנחס 14, Grünhut ס׳ הלקוטים IV, 78 a: מעולם לא לן אדם בירושלים ובידו עון, הא כיצד תמיד של שחר מכפר על עבירות שנעשו ביום ושל בין הערבים מכפר על עבירות שנעשו בלילה שנאמר צדק ילין בה; Aggad. Cant. 4, 8.

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[1] Kerith. 1, 7: מעשה שעמדו קינים בירושלים בדינרי זהב, אמר רבן
שמעון בן גמליאל המעון הזה לא אלין הלילה עד שיהו בדינרין, נכנס לבית
דין ולימד האשה שיש עליה חמש לידות ודאות חמש זיבות ודאות מביאה קרבן
אחד ואוכלת בזבחים ואין השאר עליה חובה, ועמדו קנים בו ביום ברבעתים.

[2] Cf. J.Q.R. 10, 1898, 702 ff.

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[1] Berakh. 44 a; Yer. Ta'an. IV, 69 a, 42. The supply of pigeons for the pilgrims for the Festival of Passover was considered so important that, when the young pigeons were late in the season, it was one of the grounds for the intercalation of a month in the year. So R. Gamaliel I said in his official letter to the Jews in Babylonia, Media, Asia Minor and other countries, Yer. Synh. I, 18 d, 10: אימרייא רכיכין וגוזליא דקיקין; in b. Synh. 11 a bottom his son R. Simeon b. Gamaliel I wrote: מהודעין אנחנא לכון דגוזליא רכיכין ואימריא דעדקין . . .

[2] Menaḥ. 64 b bottom; Yer. Shekal. V, 48 d, 25.

[3] Shekal. 5, 3.

[4] Note that already in Temple times the leper was regarded as a sinner who suffered the severe penalty of his illness for some grave sin; it is very probable that the teachers of the time suggested from Miryam's, Gehazi's and king 'Uzziyyah's cases some definite offences as the causes of leprosy; above, p. 421.

R. Yehudah b. Ilai reports that the actual case of a person who for self-protection had put on the Sabbath an overturned dish over a scorpion, was brought before R. Yoḥanan b. Zakkai in 'Arabh and he replied, I am afraid, he is liable to bring a sin-offering.[3] Again R. Yehudah reports that the case of a man who had on the Sabbath smeared wax over the bored stopper of a cask was brought before R. Yoḥanan b. Zakkai in 'Arabh and he replied, I am afraid, he is liable to bring a sin-offering.[4] A teacher of the last quarter of the third century, R. 'Ulla states, no doubt on an early source, that R. Yoḥanan b. Zakkai had lived in 'Arabh for eighteen years, and, as during those years only the two questions of religious law mentioned had been submitted to him, he said, Galilee, Galilee, thou hatest the Torah, and thou shalt ultimately fall into the hands of the oppressors.[5] He lived in 'Arabh at the same time as Ḥaninah b. Dosa who in the last years of the Temple took from that his place a gift to the Temple in Jerusalem;[6] so that it is possible that those decisions were given by R. Yoḥanan before the year 70, and that already then the rule was applied that a sin-offering has to be brought for every breach of the Sabbath committed in error. But even if he decided those questions after the destruction of the Temple, he did not formulate that rule then, but it must have been adopted by the religious authorities or the schools in Jerusalem before those incidents,[7] since it appears as the accepted law in the Halakhah of the teachers in Jamnia and Lydda. But strangely no instance has been preserved of a sin-offering actually brought for such an offence in error. A Baraitha reports, 'Formerly the hides of the sacrifices were put (by the priests on duty) into the chamber beth-Parvah, and in the evening they were distributed among the priests who had officiated on that day. When, however, violent priests appropriated the hides by force, the authorities instituted that the hides should be distributed on the Friday only, (when the presence of the whole section of the priests which was on duty during that week would prevent such violence). But when the noble priests still appropriated the hides by force, the priests (who were the rightful owners of the hides) consecrated them to God'.[1] The priests did not receive the hides of all

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[1] Middōth 2, 5; J.Q.R. 10, 1898, 704.

[2] Sotah 1, 5; Tamid 5, 6; Tos. Nega'im 8, 9. 10.

[3] Shabb. 16, 7.

[4] Shabb. 22, 3.

[5] Yer. Shabb. XVI, 15 d, 59; S. Klein, Palästina-Studien, 1, 1923, 16.

[6] Cant. r. 1, 1, 4; Kohel. r. 1, 1, 1.

[7] R. Ishmael, before the year 135, in reading one Friday night in front of a lamp, took hold of it by mistake and inclined it towards him;

R. Nathan said that R. Ishmael had entered the words on his writing-tablet: ישמעאל בן אלישע הטה הנר בשבת, לכשיבנה הבית יהא חייב חטאת, Yer. Shabb. I, 3 b, 62; Baraitha b. 12 b bottom; Tos. 1, 13.

[1] Pesaḥ. 57 a; Tos. Menaḥ. 13, 18. In Middōth 5, 3 it states that in the chamber of Parvah the hides of the sacrifices were salted; it would appear that, if the hides had been distributed the same evening, there would have been no need for putting salt on them to preserve them. Consequently, it views the weekly distribution, or the last stage, when the hides were the property of the Temple and had to be kept until they were sold. The term עורות קדשים is used in a different sense in the Baraitha Yoma 12 a on the owners of houses in Jerusalem, 'They must not let their houses in Jerusalem for hire, because they are not theirs; R. Eleazar b. Ṣadok says, Nor beds; on account of that the hosts of the pilgrims take the hides of קדשים, sacrifices, by force'. The same Baraitha in Tos. Ma'as. sheni I, 13 has עורות של מוקדשין. In ARN, XXXV, 52 b R. Simeon b. Gamaliel says, The pilgrims gave the hides of קדשים to their hosts, because the visitors lodged inside the house and their hosts outside it; on account of that the visitors employed a ruse and bought for their sacrifices Egyptian sheep the hides of which were worth four or five Sela's, and by those the inhabitants of Jerusalem profited. The קדשים here are the peace-offerings brought in honour of the festival and for rejoicing, which the pilgrims offered in the Temple and the flesh of which they consumed in their quarters; only of such private sacrifices did the hides belong to the offerer. In agreement with this rule Baraitha Pesaḥ. 65 b says of the Paschal lamb that, after it had been flayed in the inner fore-court of the Temple, the owner wrapped his Paschal lamb in its hide and carried it home on his back. There it was roasted, Ta'an. 3, 8; ARN, XXXV, 52 a; 2 ARN, XXXIX, 52 a.b, and the

the sacrifices, though among the twenty-four dues of the priests עורות קדשים are included,[1] the same as mentioned in the previous report, but are not defined. Another report, however, explicitly states that the flesh and the hides of the sin- and the guilt-offerings belonged to the priests, as also the hides of the private burnt-offerings, Lev. 7, 8, and of all the public sacrifices.[2]

As on the ordinary weekdays only the two lambs of the daily public burnt-offerings were sacrificed, and, as far as is known, private atoning- and private burnt-offerings of which the hides belonged to the priests were, at best, mostly brought only by inhabitants of Jerusalem,[3] it is difficult to see how a distribution of hides among the number of the priests on duty could have taken place every day.[4] Philo reports that the emperor Augustus had commanded that for all times regular burnt-offerings be brought every day at his own expense as a gift to the most High God, which

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hide belonged to the offerer; for the Paschal lamb was one of the sacrifices of lighter sanctity, קדשים קלים, Zebaḥ. 5, 8, just as the peace-offering and the sacrifice of thanksgiving, Zebaḥ. 5, 6. 7.

[1] Baraitha Baba kam. 110 b; Ḥullin 133 b; Tos. Ḥallah 2, 8; Tanḥ. במדבר 24; B. 29. Sifré Num. 18, 20, 119, 39 b has in the list of the twenty-four dues of the priests ועור העולה, where Ḥullin 133 b and Baba kam. 110 b have ועורות קדשים and Tos. Ḥallah ועורות של מוקדשין.

[2] Tanḥ. צו 4; B. 6. In Sifra Lev. 7, 8, 34 a, 2: אין לי אלא עור העולה, עורות קדשי קדשים מנין תלמוד לומר אשר הקריב, יכול שאני מרבה אף עורות קדשים קלים תלמוד לומר העולה מה עולה מיוחדת קדשי קדשים יצאו קדשים קלים, and then follows R. Ishmael's argument about the hides of the most holy sacrifices, so that the first argument is by one of his colleagues, probably R. Akiba. Zebaḥ. 12, 3: עורות קדשים קלים לבעלים ועורות קדשי קדשים לכהנים, and Baraitha Zebaḥ. 103 b are in agreement with Sifra. See also Shekal. 6, 6: גדבה מה היו עושין בה, לוקחין בה עולות הבשר לשם והעורות לכהנים. Cf. Sifré zuta Num. 18, 9, 113.

[3] In Tos. Pe'ah 3, 8 a farmer in his joy over the fact that he forgot a sheaf in his field, asks his son to bring for him a bull for a burnt-offering and another bull for a peace-offering. See Büchler, Types, 69 ff.

[4] According to Tos. Yoma, 1, 13 thirteen, fourteen, or fifteen priests were engaged in offering up the daily burnt-offering; from b. 25 b; 37 a bottom it appears that they were only twelve or thirteen.

were to his day sacrificed;[1] and he adds that it consisted of two lambs and one bull with which the emperor seasoned the altar.[2] In connexion with Caligula's demand that the Jews should set up his statue in their Temple, they pointed out that twice daily they offered sacrifices for the emperor and the Roman nation;[3] and again[4] that a daily sacrifice was offered for the emperor and the Roman nation at the expense of the Jewish people.[5] King Agrippa I of Judaea sacrificed daily in the Temple during his reign.[6] But all these burnt-offerings do not explain the daily distribution of hides among the priests; only on the three festivals of pilgrimage were thousands of animals sacrificed, among them burnt-offerings and atoning sacrifices, and consequently a very great number of hides were distributed. But during the festivals not the small subsection of priests, בית אב, of which the Baraitha quoted above is speaking, but one of the twenty-four divisions, and even all the divisions, were on duty to cope with the great number of sacrifices.[7] And even according to the rule laid down in the Mishnah that also on the festival the division in whose week of regular duty the festival falls offers up the daily public burnt-offerings, the sacrifices of vows and of free gifts and the other public sacrifices,[8] the Baraitha on the distribution of the hides, if it referred to the festivals, should have mentioned the proper division of the week. The great number of hides given to the priests proves in any case the considerable number of sin-, guilt- and burnt-offerings[1] brought by the Jews in the last decades of the Temple before its destruction; and just as Babha b. Buta brought every day a doubtful guilt-offering, he and others brought their certain guilt- and sin-offerings, when they became conscious of a sin committed in error, for which either sacrifice was prescribed.[2]

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[1] Legatio ad Caium, 23, 157 = M. II, 569.

[2] Legatio, 40, 317 = M. 592.

[3] Josephus, Wars, II, 10, 4, 197.

[4] Josephus, Contra Apion. II, 6, 77; cf. Wars, II, 17, 2–4; see Schürer, Geschichte, II, 361.

[5] Philo, Legatio, 45, 356 = M. II, 598 states how the representatives of the Jews told Caligula, 'We did sacrifice, and we offered whole hecatombs the blood of which we poured in a libation upon the altar, and the flesh we did not carry to our homes to make a feast and a banquet upon it; . . . but we committed the victims entirely to the sacred flame as a burnt-offering'. In Caligula's reign a hecatomb was sacrificed on three occasions by the Jews in Jerusalem, first on his accession, then on his recovery from a grave illness, and again at the beginning of his war against the Germans.

[6] Josephus, Antiquit. 19, 7, 3, 331; Lev. r. 3, 5.

[7] Sukkah 5, 6. 7.

[8] Sukkah 5, 7: משמר שזמנו קבוע הוא מקריב תמידין נדרים ונדבות ושאר קרבנות צבור ומקריב את הכל.

A sin-offering was brought by the Nazirite at the conclusion of his temporary vow, Num. 6, 14, 'One he-lamb of the first year without blemish for a burnt-offering, and one ewe-lamb of the first year without blemish for a sin-offering, and one ram without blemish for peace-offerings'. In the last three decades of the Temple Nazirites are mentioned several times (above, p. 420); so Josephus reports that Agrippa I ordained that many of the Nazirites should have their heads shaved,[3] that is, he paid for their sacrifices. After she had with her family embraced Judaism, Queen Helena of Adiabené undertook the vow of the Nazirite and went to Jerusalem to complete it[4] about the year 48 C.E.

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[1] Ḥagig. 1, 3: עולות במועד באות מן החולין והשלמים מן המעשר. יום טוב ראשון של פסח בית שמאי אומרים מן החולין ובית הלל אומרים מן המעשר, 'The private burnt-offerings due on the festival shall be defrayed from unhallowed money, but the peace-offerings may be defrayed from the second tithe; those on the first day of the Passover festival according to the Shammaiites from unhallowed money, in the opinion of the Hillelites even from the second tithe.

[2] An anonymous Baraitha in Ḥagig. 8 a bottom and Mishnah 1, 4 say, 'From Deut. 16, 14 the scholars have inferred that the priests might fulfil the duty of rejoicing on the festival by the flesh of sin- and guilt-offerings'; from this we see that such sacrifices were offered up on the festivals of pilgrimage.

[3] Antiquit. 19, 6, 1, 294; cf. Baraitha Yer. Nazir, V, 54 b, 2; Gen. r. 91, 3, 'Three hundred Nazirites came up in the days of Simeon b. Shetaḥ, and king Jannaeus defrayed the cost of the sacrifices of half of them; see my note in J.Q.R. 10, 1898, 700, 2. As king Jannaeus, so Agrippa I undertook the cost of the sacrifices. Cf. above, p. 420.

[4] Nazir 3, 6; 'Eduy. 4, 11; Sifré zuta Num. 6, 5, 36 ff.; see Lewy, Abba Saul, 14, 24; N. Brüll, Jahrbücher, I, 1874, 74 ff.

In Acts 21, 23. 24. 26 Paul takes charge of four Nazirites, and probably undertook their expenses in connexion with the shaving of their hair. In the year 64 Bereniké, the sister of Agrippa I, was in Jerusalem to bring her sacrifices of the Nazirite;[1] and a certain Miryam of Palmyra brought her offerings as a Nazirite in Jerusalem.[2] In the year 70 some Nazirites came up from abroad to Jerusalem, and, when on their arrival they found that the Temple had been destroyed, Naḥum the Mede dealt with their case.[3] A boy, Ḥananyah b. Ḥananyah was made a Nazirite by his father, and the question of the validity of the act was brought by the father and the son before R. Gamaliel.[4] As the vow of the Nazirite is known to have applied fully only in Temple times, the incident seems to have occurred under R. Gamaliel I between the years 30 and 60.[5] That the Nazirite actually brought the prescribed expensive sacrifices is probable from the similarly costly sacrifices of others, and not only from the payment of king Jannaeus and from the sin-offerings of the ancient pious men, but specially from the report concerning Miryam of Palmyra. 'When the blood of one of the sacrifices (brought at the completion of her vow) had been sprinkled for her, she was informed that the illness of her daughter had taken a grave turn; when Miryam found that she had died, and defiled herself through her dead body, the scholars decided that after her levitical purification she need not bring the first sacrifice again, but only the remaining offerings'.[6] According to Num. 6, 16 the first sacrifice was the sin-offering, and at the same time we see that the sprinkling of the blood upon the altar was regarded as the essential and decisive act of the offering-up. As women, as a rule, did not perform the laying of the hands upon their sacrifice, there is no reference to that act[1]; on the other hand, in the case of the leper after his recovery and first purification it is explicitly stated,[2] 'The leper immerses in the chamber of the lepers, and then goes and stands up in the gate of Nikanor; (R. Yehudah says, He requires no immersion, since he immersed the night before; but his colleagues remarked to him, It is not on the ground of his purification, but anybody who had to enter into the inner fore-court through the gates of Nikanor had to immerse in that chamber). He brings his guilt-offering and its log of oil with him, and stands up the offering in the gate of Nikanor; the priest is standing inside and the leper outside; the leper puts his hand under the lamb, while the priest places his hand upon (?) the leper, and performs the waiving in four movements; then he (the leper) lays his hands upon it (the lamb), and the priest enters and slaughters it on the north side. The laying of the hands in the Temple is ever followed immediately by the slaughtering, except in this case, as it was performed in the gate of Nikanor; the laying of the hands in the Temple is ever performed on the north side of the altar, except in this case, as it was performed in the gate of Nikanor, as the leper must not enter into the inner fore-court till after the priest has sprinkled on his behalf of the blood of his sin- and guilt-offering (on, and against the walls of, the altar).' An interesting fact of life in Jerusalem in connexion with leprosy may be cited here. 'It was on Nisan 14th that such as were smitten with defiling boils in Jerusalem went to the physician who cut the boil until only a hair's breadth of it was left connected; he pinned it with a thorn (to some fixed object) and the patient pulled it off, so that both he and the physician could offer their Paschal lambs.'[1] This is not an academic statement, as the same actual procedure is reported of the pious Joseph b. פכסס.[2]

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[1] Josephus, Wars, II, 15, 1, 313.

[2] Nazir 6, 11; Tos. 4, 10.

[3] Nazir 5, 4.

[4] Tos. Niddah 5, 15; b. Nazir 29 b; in Yer. IV, 53 c, 30 R. Simeon b. Gamaliel.

[5] Cf. Hegesippus in Eusebius, Histor. eccl. II, 23, who says that Jesus' brother James was a Nazirite; cf. Gaster, ספר מעשיות, Hebrew part, p. 84 = Exempla, 84.

[6] Nazir 6, 11; Tos. 4, 10, מעשה במרים התרמודית שנזרק עליה אחד מן הדמים ובאו ואמרו לה על בתה שהיתה מסוכנת והלכה ומצאה שמתה ואמרו חכמים תביא שאר קרבנותיה ותטהר.

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[1] See above, p. 416, 1.

[2] Tos. Nega'im 8, 9. 10; Mishnah 14, 8. 9; Sifra Lev. 14, 11, 71 d, § 6. 7.

7. The discussion of the two schools about the cleansing force of the daily public burnt-offerings, and the statements of R. Yoḥanan b. Zakkai and his disciples (p. 426 ff.) about the atonement effected by the altar seem to suggest that the mere oblation of the atoning sacrifice and the sprinkling of its blood upon the four corners or against the wall of the altar brought atonement automatically to the people of Israel or to the individual. It would undoubtedly be a rather crude concept of the sacrificial worship of that time, that abandoned all the plain and lofty views expressed over two centuries earlier by Sirach about the special sacrifices of the individual Jew, brought when he found himself in trouble. For Sirach said, (38, 9) 'My son, in thy sickness be not negligent; but pray unto the Lord, and He shall heal thee. (10) Put away wrong doing, and order thine hands aright, and cleanse thy heart from all manner of sin. (11) Give a sweet savour, and a memorial of fine flour; and make fat thine offering, as one that is not. (12) Then give place to the physician, for verily the Lord hath created him.' It is true, the man here is suffering from illness and is preparing to appeal to God for His special favour and help; but, as in Sirach's belief sickness is a visitation inflicted by God for sins committed, the patient is advised to bring a sacrifice and to pray for God's forgiveness of his offences.[3] But the order of the sick man's actions, as suggested by Sirach, as preparatory for the offering attracts special attention. First he should pray for his recovery, God may grant it; then he should obey three warnings, one, to stop sinning which, as the reference to his hands shows, means, as in Psalm 24, 4 and elsewhere, all possible forms of wrong done to his fellow-man; the

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[1] Kerith. 3, 8, quoted by R. Gamaliel II and R. Joshua b. Ḥananyah.

[2] Sifra Lev. 21, 3, 94 a, § 14; Yer. Nazir, VII, 55 d, 71; Semaḥ. IV, 28.

[3] Cf. Psalm 38, and B. Jacob in ZATW. 17, 1897, 64.

second, to substitute for wrong right deeds, and the last, to remove all evil thoughts, intentions and plans from his heart. Those characteristic preliminaries, as also Is. 1, 16. 17 stated them, will lend force to the humble sacrifice and make it acceptable; and he who approaches God with his offering and prayer after having cleansed himself so thoroughly from all guilt and all evil thought, accompanies his sacrifice with pure and pious sentiments. A comparison of the preparations of the robber or the thief by finding or embezzling, as analysed above, with Sirach's lofty principles soon shows that that sinner did not wait for a reminder by sickness or some other chastisement to inspect his heart, but after a fierce and prolonged struggle with his awakened conscience he resolved to confess his sin, to cleanse his hands from his crime by restitution, to conciliate the injured person thereby, and by the payment of the additional fifth of the value of the article robbed and so approach God with the guilt-offering and the confession of his sin over it. A man who of his own free resolve passed through those several stages of confession and consequent conciliation, laid his hands upon his atoning sacrifice with his feelings and prayers directed towards God, and with the hope for, and the firm expectation of, His forgiveness, while the priest was sprinkling the blood of his guilt-offering as a substitute for his blood. For his active and thorough cleansing of his soul and his hands, and for the genuine concentration of his mind upon the sacrificial atonement he fully deserved the pardon granted only to the truly purified offerer.

What applied to the individual who brought a special sacrifice for God's forgiveness in such exceptional circumstances, might be expected to have been the attitude of the whole community, not only when in distress special offerings were sacrificed, Jer. 14, 11. 12, or special prayers addressed to God, Joel 2, 12, when true repentance and contrition of heart were the natural demands. Even when the regular public sin-offerings were sacrificed on the festivals and on the first day of every month, or, when the daily public burnt-offering was regarded as an atoning sacrifice and was brought as such twice every day, some active mental and spiritual participation of the whole people of Israel in the sacrifice for forgiveness might have found expression. It is true, it seems difficult to imagine how such sentiments could have been stirred twice daily for sacrifices apparently totally impersonal in the population of Palestine that lived separated from the Temple almost throughout the whole year.[1] While, naturally, the whole nation could not possibly have been made to pass in a body twice daily through the same spiritual cleansing as a penitent sinner, a delegacy of the representatives of the people of Palestine stood continuously at the altar during the sacrifice, and another met in one of the district towns of the country. An early Mishnah reports that the ancient prophets instituted the division of the country into twenty-four sections, משמרות, each to be represented in Jerusalem in turn by a body called מעמד and consisting of priests, Levites and Israelites; when the turn of the section came to go up to Jerusalem, the priests and Levites went up to Jerusalem, while the laymen of that section gathered in their towns and read from the chapter of the creation.[2] The members of the מעמד fasted on four days of the week, from Monday to Thursday, but not on the Friday in honour of the Sabbath, nor on the Sunday, that by passing from rest and joy into weariness and fast they might not die.[1] About the delegation who observed the

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[1] The individual Israelite submitted his personal prayer to God at the time of the burnt-offering of the evening; so Elijah in 1 Reg. 18, 36, cf. 2 Reg. 3, 20, and the Psalmist in 141, 2, 'Let my prayer be set forth as incense before Thee, the lifting up of my hands as the evening sacrifice'. As Judith in 9, 1 ('And the incense of that evening was now being offered at Jerusalem in the house of God, and Judith cried unto the Lord with a loud voice'), prayed at the time of the burning of the incense of the evening, the verse in the Psalm might be understood in the same way. See Schürer, Geschichte, II, 353, 49, who refers to Philo, De sacrificant. 4, 275 = M. II, 254, where Philo declares the moment when the incense was offered up the most solemn of the whole sacrifice.

[2] Ta'an. 4, 2: אלו הן מעמדות, לפי שנאמר צו את בני ישראל . . את קרבני לחמי וכו', וכי היאך קרבנו של אדם קרב והוא אינו עומד על גביו, התקינו נביאים הראשונים עשרים וארבע משמרות על כל משמר ומשמר היה מעמד בירושלים של כהנים של לוים ושל ישראלים, הגיע זמן המשמר לעלות כהנים ולוים עולים לירושלים וישראל שבאותו משמר מתכנסין לעריהן וקוראין

במעשה בראשית. (3) ואנשי המעמד היו מתענין ארבעה ימים בשבוע מיום שני ועד יום חמישי ולא היו מתענין ערב שבת מפני כבוד השבת ולא באחד בשבת כדי שלא יצאו ממנוחה ועונג ליגיעה ותענית וימותו. Here no layman is included among the representatives in Jerusalem; but in Yer. Ta'an. IV, 67 d, 53 R. Yonah quotes the relevant line of the Mishnah thus: ועל כל משמר ומשמר היה עמוד בירושלים של כהנים ושל לויים ושל ישראל including explicitly Israelites and calling the body עמוד. Then follows the Baraitha: תני עשרים וארבעה אלף עמוד מירושלם וחצי עמוד מיריחו, אף יריחו היתה יכולה להוציא עמוד שלם אלא בשביל לחלוק כבוד לירושלם היתה מוציאה חצי עמוד, הכהנים לעבודה והלוים לדוכן וישראל מוביחין על עצמן שהן שלוחיהן של כל ישראל; here again the עמוד is composed of priests, Levites and Israelites, the priests for the sacrificial service, the Levites for the choir, and the Israelites as the delegates of all Israel. Jerusalem and Jericho are stated to be cities having equal numbers of inhabitants and capable of sending a representative body of 24,000. The figure, naturally, is impossible; see the various attempts to explain the statement by A. Epstein in MGWJ. 40, 1896, 143 ff.; Blau in R.É.J. 31, 1895, 151 ff., and Krauss in J.Q.R. 8, 1896, 676.

[1] The contradictory statements in the account were caused by a strange contraction of two distinct reports, one of which, according to the introductory line, 'It says, Num. 28, 2, "Command the children of Israel.. My food which is presented unto Me for offerings", how is a person's sacrifice offered, if he stands not by it'? dealt with the lay representatives standing by the daily public sacrifices, משמר, and the other report which dealt with the representatives of the people remaining at home in the cities, מעמד. The reliability and the date of one part of the Mishnah can be proved from the continuation in the Mishnah 4, 4: כל יום שיש בו הלל אין בו מעמד בשחרית, קרבן מוסף אין בו בנעילה, קרבן עצים אין בו במנחה דברי רבי עקיבא, אמר לו בן עזאי כך היה רבי יהושע שונה, קרבן מוסף אין בו במנחה, קרבן עצים אין בו בנעילה, חזר רבי עקיבא להיות שונה כבן עזאי. Here R. Joshua b. Ḥananyah who was a levitical singer in the Temple, enumerates the occasions when the מעמד did not assemble, namely, 'On the days on which the Hallel-Psalms were sung in the Temple, the representatives did not attend at the altar at the morning sacrifice; on the Sabbaths, the new moons and the festivals, when the additional sacrifice of the special day was offered, the representatives did not attend at the altar at the afternoon sacrifice; and on the days on which certain selected families brought their contributions of fire-wood for the altar, the representatives did not attend at the closing of the gates.' Note that מעמד denotes here the

fasts there is in the parallel accounts some confusion. The Baraitha in the Palestinian Talmud states,[1] 'The members of the משמר fasted every day, on the Monday for the voyagers at sea, on the Tuesday for travellers on land, on the Wednesday for the children that croup might not rise into their mouths, and on the Thursday for the expectant mothers that they might not miscarry, and for the suckling mothers that their children might not die. Another Baraitha, or the continuation of the first, adds that they did not fast either on the Friday or the Sunday for the sake of the honour of the Sabbath; and a third Baraitha, or the third part of the first Baraitha, states that the Great Synhedrion fasted with them'. They assign the fasts to the representatives of the people standing at the altar in Jerusalem, משמר, and support that tradition by the further detail that the Great Synhedrion in Jerusalem fasted with them. On the other hand, the Baraitha quoted in the Babylonian Talmud relates, 'The members of the משמר prayed that the sacrifice of their brethren might be accepted in favour, and the members of the מעמד gathered in the synagogue, observed four fasts and prayed ..'[2] The same distinction between the two

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delegation representing the people at the public sacrifices. See Herzfeld, Geschichte, III, 188 ff.

[1] Ta'anith, IV, 68 b, 10: תני אנשי משמר היו מתענים בכל יום, בשני היו מתענין על מפרשי ימים .. בשלישי היו מתענין על יוצאי דרכים .. ברביעי היו מתענין על התינוקות שלא תעלה אסכרה לתוך פיהם .. בחמישי היו מתענין על המעוברות שלא יפילו ועל המיניקות שלא ימותו בניהן .. תני לא היו מתענין לא בערב שבת ולא במוצאי שבת מפני כבוד השבת. תני סנהדרין גדולה היתה מתענה עמהן (וסנהדרין יכולה להתענות בכל יום, מחלקין היו עצמן על בתי אבות).

[2] Ta'an. 27 b; Soferim 17, 5, see Müller's full note, p. 236 ff.: תנו רבנן אנשי משמר היו מתפללין על קרבן אחיהם שיתקבל ברצון ואנשי מעמד מתכנסין לבית הכנסת ויושבין ארבע תעניות ... In the parallel Baraitha in Yer. Ta'an. IV, 67 d, 47: אלו הן המעמדות מתכנסין בעריהן וקורין במעשה בראשית; as in the Mishnah, only the reading of Gen. 1 is assigned to the delegation who met in their town, but not fasting. Tos. Ta'an. 4, 3: וישראל שבאותה משמר שאינן יכולין לעלות לירושלים מתכנסין בעריהם וקורין במעשה בראשית ובטלין מן המלאכה כל אותה השבת, 'The

groups is found again in the Baraitha. 'In a year of too much rain the members of the משמר sent to the members of the מעמד the message, Turn your attention to your brethren in the countries outside Palestine (and pray) that their houses may not be turned into their graves'.[1] Here also the representatives of the people of Israel in their district at home are supposed to pray for the security of their brethren in any difficulties.

This contradiction between the parallel accounts can only be solved in either of two ways, either only the Palestinian tradition is correct and only the delegates at the altar fasted and prayed for those in danger of life, or also the Babylonian version is based on fact and both delegations combined their fasts for the welfare of their people. In either case the fasts were closely connected with the daily public burnt-offerings;[2] and as the Great Synhedrion, the highest religious authority of Israel, joined the delegation of the people at the sacrifice in the fast, it was the fast of the nation in connexion with the daily public sacrifices of the nation. As fasting is not an expression of joy, suitable to accompany the offering-up of a sacrifice of joy or of thanksgiving or a burnt-offering of gratitude, but is a strong support of prayer spoken in distress physical or mental, the explanation of the national fast lies in the character of the national daily burnt-offering. As the two schools of the Shammaiites and the Hillelites interpreted it as an atoning sacrifice, the fast was probably connected with the offering for forgiveness of sins. That connexion is evident in Judg. 20, 26, 'Then all the children of Israel, and all the

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laymen of that section who are unable to go up to Jerusalem gather in their cities, read Gen. 1 and stop working during that whole week', states first that laymen were included in the delegation who went up to Jerusalem, and confines the meeting of the lay delegates at home to those who from some reason or other could not go up to Jerusalem. and thirdly, instead of fasting abstention from work is mentioned.

[1] Ta'an. 22 b bottom: תניא נמי הכי שנה שגשמיה מרובין אנשי משמר שולחין לאנשי מעמד תנו עיניכם באחיכם שבגולה שלא יהו בתיהם קבריהם.

[2] See Rabbinovicz on the bracketed part of the Mishnah Ta'anith 4, 1, absent in the text of Yer., the Cambridge Mishnah and other texts.

people, went up, and came unto Beth-el, and wept, and sat there before the Lord, and fasted that day until even; and they offered burnt-offerings and peace-offerings before the Lord'. And with the confession of sin it is found in 1 Sam. 7, 6, 'And they gathered together to Mizpah, and drew water, and poured it out before the Lord, and fasted on that day, and said there, We have sinned against the Lord. Jer. 14, 12, When they fast, I will not hear their cry; and when they offer burnt-offering and meal-offering, I will not accept them', (cf. the confession of sins in vv. 20. 7); Neh. 1, 4–7; 9, 1–2; Dan. 9, 3 ff. And fasting for forgiveness of sin is mentioned in Sirach 34, 26 = 31, 25, 'Even so a man fasting for his sins, and going again and doing the same; who will listen to his prayer? and what profit hath he in his humiliation?' and in Psalms of Solomon 3, 9, 'He maketh atonement for (sins of) ignorance by fasting and afflicting his soul'.[1] As the Synhedrion were the spiritual guides of the people and sometimes responsible for its religious errors, it was almost natural that also they should regularly fast for the forgiveness of its sins through the daily burnt-offerings.[2] If the ascription of an atoning effect to the two daily public offerings dates, as has been suggested above (p. 429 ff.), from the beginning of the first century, it would follow that the institution of the fast to be observed by the representatives of the people at those sacrifices is, at the earliest, of the same date. But it is probable that it was preceded by the earlier custom of the people's, and perhaps also the individual sinner's, fasting on the day on which their atoning sacrifice was offered up in the Temple and they had to confess their sins over the sin- or the guilt-offering before God. In any case, the fasting of the representatives of the people at the daily public burnt-offerings and of the Synhedrion shows that even the public sacrifices did not afford an automatic atonement to the sins of the people, though committed unwittingly.

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[1] See also Testam. Reuben 1, 10; Judah 15, 4; Simeon 3, 4; Asher 2, 8; Büchler in J.Q.R. 14, 1923, 60; Types, 138–40. The strange statement of Theophrastos in Porphyry, De abstinentia (see Bernays, Theophrastos' Schrift Ueber Frömmigkeit, 113 ff.), that the Jews, when sacrificing, abstained not only from the flesh of the sacrifice, but also from all food, is explained by the fasting of the representatives of the people at the sacrifice and of the representatives who stayed at home. But it is more probable that he referred to the fact that the daily public sacrifices were burnt-offerings no part of which was given to the priests.

[2] We meet the Synhedrion again not only at the sacrifice in Deut. 21, 2 in Sotah 9, 1: ויצאו זקניך ושופטיך, שלשה מבית דין הגדול שבירושלים היו יוצאין רבי יהודה אומר חמשה, R. Eliezer b. Jacob in Baraitha 45 a. Rabbi in Midr. Tannaim Deut. 21, 2, 123, anonymous Baraitha in Yer. Sotah IX, 23 c, 9; cf. Sifré Deut. 21, 3, 206, 112 a: זקני העיר ההוא, ולא זקני ירושלים, Sotah 9, 5. Also when the religious authorities had by an erroneous decision caused the people to transgress a prohibition of the Pentateuch, and the congregation had then to bring a sin-offering, some representatives of the authoritative religious body had to lay their hands upon the atoning sacrifice, Lev. 4, 15, according to R. Yehudah in Sifra Lev. 4, 15, 19 b five, in R. Simeon's view three, in Targum Yonathan

When the atonement of the robber's grave sin against God and his fellow-man had been effected by his confession, by the full restitution of the property and the payment of an additional fifth of its value, and by the confession of his offences over his expensive guilt-offering, by the sprinkling of the blood of the atoning sacrifice against the wall of the altar and by the burning of its fat upon the altar, the stain of his sin was completely washed away from him and he felt relieved from the burden of his transgression.[1] 'And the priest shall make atonement for him before the Lord', is followed in Lev. 5, 26 by the words, 'and he shall be forgiven, concerning whatsoever he doeth so as to be guilty thereby'. They suggest that even all those acts have not secured yet for him the final and crowning gift, forgiveness, which now

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'standing for' R. Ishmael's opinion (Hoffmann, Einleitung in die halach. Midraschim, 75) twelve elders represented the Synhedrion. In Deut. 21, 2 Targum Yonathan requires the presence of only two members of the Synhedrion.

[1] On 'As is the sin-offering, so is the guilt-offering', Lev. 7, 7, Baraitha Yer. Horay. II, 46 d, 54, quoted before, p. 348 ff., reads: כחטאת כאשם, מה חטאת מכפרת וממרקת אף אשם מכפר וממרק, יצא אשם תלוי שהוא מכפר ומשייר, 'As the sin-offering atones (for sin) and cleanses it away completely, so also the guilt-offering atones (for sin) and cleanses it away completely; excepted is the doubtful guilt-offering which atones (for the doubtful sin), but leaves some over'.

after the atonement only God can bestow in His love.[1] This is evident from all the contexts in the Pentateuch where the verb סלח is used of God in the active form, Exod. 34, 9, 'And pardon our iniquity and our sin, and take us for Thine inheritance; Num. 14, 19, Pardon, I pray thee, the iniquity of this people according unto the greatness of Thy loving-kindness, and according as Thou hast forgiven this people, from Egypt even until now. (20) And the Lord said, I have pardoned according to thy word; Deut. 29, 19, The Lord will not be willing to pardon him; Num. 30, 6. 9. 13, And the Lord will forgive her.' And here Jer. 33, 8 is very instructive, 'And I will cleanse them from all their iniquity, whereby they have sinned against Me; and I will pardon all their iniquities, whereby they have sinned against Me, and whereby they have transgressed against Me'. The two verbs describing God's action are not synonymous, for טַהר corresponds to the atoning action of the priest in the sacrificial sprinkling of the blood, which cleanses away the sin completely, and it is followed here by God's forgiveness. This important distinction between the priest's sacrificial atonement and God's forgiveness was maintained by R. Akiba, 'When R. Akiba read Lev. 5, 17 or Num. 30, 13, he wept, and said, "As he who intended to eat swine's flesh, but happened to take the flesh of a lamb, requires according to the Torah atonement and pardon, how much more so he who intended to eat swine's flesh and took swine's flesh".'[2] And in the parallel Baraitha on Num. 30, 13 it is stated, 'The verse, "Her husband hath made them void; and the Lord will forgive her", refers to the woman who knows not that her husband has made her vows void, (and sins against them), and it teaches that she needs atonement and pardon; when R. Akiba read that verse, he wept, and said, &c.' And in the characteristic statement discussed above (p. 352 ff.), R. Akiba says, 'Happy are ye Israel! before whom are ye cleansing yourselves, and who cleanses you? your Father in heaven, as it says, Ezek. 36, 25, And I will sprinkle clean water upon you, and ye shall be clean; and again it says, Jer. 17, 13, The Lord is a gathering of water for Israel: as a levitical bath of gathered water purifies the impure, so God purifies Israel.'[2] On the Day of Atonement the Jew purges himself from all his sins committed against God by humbling himself before Him in his fast, by true repentance and by confessing all his offences, by resolving not to transgress again, and by prayer for God's pardon. When God sees the abasement of the penitent sinner, the genuine efforts of the weak human being to cleanse away all his errors and deliberate offences, and his determination to remain henceforth clean from sin, God as the loving Father of his erring children readily accepts his return to Him, and, on his part, cleanses away his sins, that is, forgives them to him. As the verse adduced from Ezek. 36, 25 shows, only God's cleansing of sin makes Israel pure, and it is a manifestation

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[1] In Sifré Deut. 3, 23, 26, 70 b God forgave the grave sin of David, because He loved him: אמר לו המקום לא שוה לך כלום שיהו הבריות אומרות בשביל שאהבו מחל לו. Cf. Sifré zuta Num. 27, 14, 160.

[2] Baraitha Kidd. 81 b; cf. Sifra Lev. 5, 17, 26 d, § 7; ARN, XXX, 45 a ff.; Bacher, Tannaiten, I, 326, 2: רבי עקיבא כי הוה מטי להאי פסוקא הוה בכי אמר ומה מי שנתכוון לאכול בשר חזיר ועלה בידו בשר טלה אמרה תורה צריכ(ה) כפרה וסליחה מי שנתכוון לאכול בשר חזיר ועלה בידו בשר חזיר על אחת כמה וכמה.

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[1] Nazir 23 a: תנו רבנן, אישה הפרם וה׳ יסלח לה, באשה שהפר לה בעלה והיא לא ידעה הכתוב מדבר שהיא צריכה כפרה וסליחה, וכשהיה מגיע רבי עקיבא אצל פסוק זה היה בוכה . . in Yer. IV, 53 b, 2: כתיב וה׳ יסלח לה, מגיד שטעונה סליחה, כשהיה רבי יעקב מגיע לפסוק היה אומר, מי שנתכוון שיעלה בידו בשר חזיר ועלה בידו בשר כשירה צריך כפרה . . in Tos. 3, 14: וכשהיה רבי עקיבא מגיע לדבר הזה היה בוכה ואמר . . . צריך כפרה, המתכוון לעלות בידו בשר חזיר ועלה בידו בשר חזיר על אחת כמה וכמה צריך כפרה וסליחה; in the edition also the first time כפרה וסליחה; in Sifré Num. 30, 6, 153, 57 a anonymously: מנין שצריכה סליחה . . צריכים סליחה . . . צריך סליחה.

[2] Yoma 8, 9: אמר רבי עקיבא אשריכם ישראל לפני מי אתם מיטהרים ומי מטהר אתכם אביכם שבשמים; in Pesikt. 157 b the second part belongs to R. Eliezer.

of His great mercy, as in Is. 55, 7, 'Let the wicked forsake his way, and the man of unrighteousness his thoughts; and let him return unto the Lord, and He will have mercy upon him, and to our God, for He will abundantly pardon', the successive stages of repentance lead up to His mercy of forgiveness. Consistently, also the distinction between the robber's cleansing of his sin by repentance and restitution which, in the absence of the atoning sacrifice since the destruction of the Temple, have been the only possible means of atonement, and God's subsequent pardon is clearly expressed in the statement of R. Joshua b. Ḥananyah, R. Akiba's teacher.[1] 'In four cases the law exempts a man from paying compensation for damage caused, but God will not forgive him until he has paid for it.' Man's sin against his neighbour is, at the same time, an offence against God, Lev. 5, 21, and pardon must be obtained for both before the guilt is finally forgiven. Even when the civil law considers the offender not liable to pay damages, God's stricter, moral demands go beyond the law and mere justice and insist on fairness and equity; unless those are satisfied by the morally guilty man, the offence against God is not pardoned until the wronged person has been conciliated and the sin against the neighbour fully atoned. This is the sense of the cleansing of his sins by man before God, and the subsequent cleansing of the same sins by God in R. Akiba's exclamation; and that is the meaning of God's forgiveness of the robber's sin after the conclusion of the sacrificial atonement for it in Lev. 5, 26, and in the case of other sins in Lev. 4, 20. 26. 31. 35; 5, 10. 13. 16. 18; Num. 15, 26. 28.

The ultimate practical effect of sacrificial atonement is expressed by R. Yoḥanan b. Zakkai differently in an interpretation of Deut. 27, 6, 'Of unhewn stones shalt thou build the altar of the Lord thy God', stones that put peace

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[1] Baraitha in Tos. Shebu'ōth 3, 1; Yer. Baba kam. VI, 5 b, 38; b. 55 b bottom: רבי יהושע אומר ארבעה אין חייבין לשלם מן הדין ואין מן השמים מוחלין להן עד שישלמו.

(or atonement) between Israel and their Father in Heaven.[1] Grave sins and sinners, according to R. Ishmael, cause jealousy, enmity and dissension between Israel and their Father in Heaven,[2] the atoning sacrifices restore the peace between them. It need hardly be said that R. Yoḥanan b. Zakkai did not mean that the mere offering up of sacrifices on the stones of the altar removed the estrangement of God caused by sins; as in his other statements concerning the various sacrifices, considered before, he stressed genuine repentance and the return to God as the essential preliminary requirements. The same idea is formulated in different terms in the anonymous Baraitha, 'God said, Let pledges be seized from the Israelites for unpaid shekels so that the public sacrifices may be offered, for the public sacrifices conciliate and place atonement between Israel and their Father in Heaven'.[3] And another anonymous Baraitha interprets 'And accept the work of his hands', Deut. 33, 11, as referring to the work of the priests, 'which makes Israel pleasing to their Father in Heaven'.[4] And R. Simeon b. Yoḥai says, 'The sin-offering is like the advocate who goes in to the king to conciliate him; when the advocate has conciliated him, the gift, the burnt-offering is taken to him'.[5] His colleague R. Neḥemiah says, 'Beloved are chastisements, for as the sacrifices conciliate (God), so chastisements conciliate. Lev.

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[1] Mekhil. Exod. 20, 25, 74 a; Tos. Baba kam. 7, 7: רבי יוחנן בן זכאי אומר הרי הוא אומר אבנים שלמות תבנה, אבנים שמטילות שלום.. בין ישראל לאביהם שבשמים, in Tos. כפרה. See above, p. 426, 4.

[2] Baraitha Shabb. 116 a; Yer. XVI, 15 c. 60; Tos. 13, 5; Sifré Num. 5, 23, 16, 6 a; see above, p. 102.

[3] Tos. Shekal. 1, 6: אף כך אמר הקב"ה יתמושכנו ישראל על שקליהם כדי שיהו קרבנות צבור קריבין מהם מפני שקרבנות צבור מרצין ומכפרין בין ישראל לאביהם שבשמים. The unnatural order of the two verbs is probably due to Lev. 1, 4: ונרצה לו לכפר עליו, which was interpreted in that sense by R. Simeon b. Yoḥai, Sifra, Lev. 1, 4, 5 d; cf. R. Neḥemiah, p. 188.

[4] Sifré Deut. 33, 11, 352, 145 a: ופעל ידיו תרצה, שמרצה את ישראל לאביהם שבשמים.

[5] Sifra Lev. 14, 20, 72 b, § 14; Baraitha Zebaḥ. 7 b: אמר רבי שמעון חטאת דומה לפרקליט שנכנס לרצות רצה הפרקליט ונכנס הדורון.

1, 4; 26, 43'.[1] So the sinner whom his wrong deed had separated from his God, gradually drew nearer to Him by his confession in court, by his restitution and by the conciliation of the injured neighbour. And when he brought his guilt-offering to the Temple, confessed his sin over the sacrifice in repentance and humility, and watched in contrition the sprinkling of its blood as a substitute for his own, his sin was atoned for, God was conciliated and granted him forgiveness: the peace between God and the cleansed sinner was restored.

As has been shown above (p. 319 ff.), in the view of the Hillelites the daily public sacrifice washed off the sins of Israel, and Simeon b. 'Azzai added that thereby the Israelite became as pure from sin as was a child of one year. That effect of the atoning sacrifice is elsewhere described differently and by a term characterizing the Rabbinic concepts of repentance and of the forgiveness of God. In the anonymous Baraitha[2]

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[1] Mekhil. Exod. 20, 23, 73 a; Sifré Deut. 6, 5, 32, 73 b: רבי נחמיה אומר חביבין יסורין שכשם שהקרבנות מרצין כך יסורין מרצין, בקרבנות מהו אומר ונרצה לו לכפר עליו בייסורין מה הוא אומר והם ירצו את עונם, ולא עוד אלא שהייסורין מרצין יותר מן הקרבנות מפני שהקרבנות בממון והיסורין בגוף וכן הוא אומר עור בעד עור. See above, p. 188.

[2] Sifré Deut. 3, 29, 30, 72 a: וימין שלו פשוטה לקבל שנאמר ועתה ישראל שמע אל החקים, הרי אתם חדשים כבר מחול לשעבר. The shorter parallel in Sifré Num. 27, 12, 136, 51 b has an interesting form, 'Moses said to the Israelites, "So we abode in the valley over against Beth-Pe'ōr", See, how great a sin you committed, and God said to you, Repent, and I receive (you); but I prayed many prayers, yet forgiveness has not been granted to me'. R. Yehudah b. Babha says, The Israelites committed grave transgressions on three occasions, but each time God said to them, Repent and I receive (you); . . . so also here Moses said, 'So we abode in the valley over against Beth-Pe'ōr; and now, O Israel, hearken unto the statutes and unto the judgments'. It is evident that the anonymous statement is based on the interpretation of two successive verses in the narrative of the Pentateuch by R. Yehudah b. Babha, or it is merely an application by himself. For he expresses the same idea in the same words in Sifré Num. 27, 12, 134, 50 b, 'R. Yehudah b. Babha says, Once a man has been entered in the lists of the Roman administration, even if he pays a great amount of money, it is impossible for him to be expunged; but Thou, O God, sayest to us, Repent, and I receive (you), as it says, Is. 44, 22, I have blotted out, as a thick cloud, thy trans-

'Moses said to the Israelites, Deut. 3, 29, "So we abode in the valley over against Beth-Peʿōr"; see, how greatly different is God's treatment of you from that of me: in many prayers have I besought God (to alter His decree concerning me), and still the decrees that I shall not enter into the land have been upheld; but to you who provoked God for forty years, Psalm 95, 10, and, moreover, even leading men of you prostrated themselves to Peʿōr, His hand is stretched out to receive (the repentant), as it says, Deut. 4, 1, "And now, O Israel, hearken unto the statutes", behold, ye are new, as the past has been forgiven'. So God's forgiveness turns the gravest sinner, even the idolater, if repentant, into a new man, free from all the transgressions of the past (p. 352). As a new creature he recovers the power which God bestows on his children and of which only sin deprived him. So R. Yosé the Galilean, before the year 135, in interpreting Deut. 20, 8, 'What man is there that is fearful and faint-hearted? let him go and return unto his house', refers the words to him who is afraid on account of transgressions committed by him, as it says, Psalm 49, 6, 'Wherefore should I fear in the days of evil? because the iniquity of my heels compasseth me about'.[1] The same idea is more forcibly and more generally formulated by R. Ishmael, before the year 135,[2] 'So long as a man has not sinned, God

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gressions, and, as a cloud, thy sins; return unto Me, for I have redeemed thee'. Bacher, Tannaiten, I, 405, 2-4.

[1] Tos. Sotah 7, 22: זה המתיירא מן העבירה שבידו שנאמר למה אירא בימי רע עון עקבי יסבני דברי רבי יוסי הגלילי; in Mishnah 8, 5; Baraitha Midr. Tannaim Deut. 20, 8, 120: הירא ורך הלבב, זה המתיירא מן העבירות שבידו; in Yer. Sotah VIII, 23 a, 30 it is anonymous. In Sifré Deut. 20, 8, 197, 110 b bottom it reads differently: הירא ורך הלבב, שיש עבירה בידו בסתר, רבי עקיבא אומר הירא ורך הלבב כמשמעו, רבי יוסי הגלילי אומר הירא ורך הלבב זה בן ארבעים שנה. Evidently, the first, anonymous view is that of R. Yosé, while the last attributed to him, belongs to another contemporary teacher; see Friedmann.

[2] Baraitha quoted in Pesikt. 44 b; Pesikt. rab. 15, 68 b: תני רבי ישמעאל עד שלא יחטא אדם נותנין לו אימה ויראה וכיון שהוא חוטא נותנין עליו אימה ויראה. The plural refers to God.

bestows on him terror and fear over others; but, when he has sinned, God places upon him the terror and the fear of others'. R. Yosé the Galilean viewed the effect of sin upon the health of the Israelites,[1] 'See, how serious is the effect of a transgression; so long as the Israelites had not stretched forth their hands after transgressions, there were among them neither men with an issue nor men affected with leprosy; but when they had stretched forth their hands after transgressions, there were among them men with an issue and lepers. R. Simeon b. Yoḥai said, See, how serious is the effect of a transgression; for so long as the Israelites had not stretched forth their hands after transgressions, Exod. 24, 17 said of them, 'And the appearance of the glory of the Lord was like devouring fire', they were neither afraid nor taken back; but when they had stretched forth their hands after transgressions, what is said of them? Exod. 34, 30, 'And when Aaron and all the children of Israel saw Moses, behold, the skin of his face sent forth beams; and they were afraid to come nigh him'. Here R. Simeon, in the middle of the second century, merely develops the idea of his teachers and supports it by other proofs deduced from the Bible. Repentance that brings to the sinner God's forgiveness restores peace to his mind, as the anonymous Baraitha declares,[2] Great is peace, for it is given to the repentant, as it says, Is. 57, 19, 'Peace, peace, to him that is far off, and to him that is near, saith the

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[1] Sifré Num. 5, 3, 1, 1 b; Bacher. Tannaiten, I, 361; II, 83, 2.

[2] Sifré Num. 6, 26, 42, 13 a: גדול השלום שניתן לעושי תשובה שנאמר בורא ניב שפתים שלום שלום לרחוק ולקרוב. In Num. rab. 11, 7 the biblical quotation ends with the second שלום, so that the repentant would be indicated by the words בורא ניב שפתים as denoting words of repentance addressed to God as in Hos. 14, 2. 3. But Yalkut Makhiri Is. 57, 19, 224 ff. quotes the passage of Num. rab. thus: שלום שלום לרחוק ולקרוב, so that the last words referred to the repentant. Cf. Berakh. 34 b: אמר רבי אבהו מקום שבעלי תשובה עומדין צדיקים גמורים אינם עומדין, שנאמר שלום שלום לרחוק ולקרוב, לרחוק ברישא והדר לקרוב, R. Abahu, of the second half of the third century, refers רחוק to the repentant sinners and קרוב to the perfect righteous men; but see Rashi.

Lord that createth the fruit of the lips'. The unnamed teacher of the first or the second century seems to have seen in the man who is far off one whom his sins separate from His God, Is. 59, 2, while the near is he who by his recent determined repentance and his changed actions has now drawn near to God whose will he performs in love. Repentance has brought back to the sinner the perfect peace.

8. In summing up briefly the results of the lengthy inquiry into the Rabbinic concepts of sin, suffering and atonement in the first century, we find that in the presentation of the Hebrew Bible the basis of the Israelite's duty to observe the Torah was the one-sided covenant imposed at Sinai by God and accepted voluntarily by the people of Israel. That covenant bound every Israelite for all times to recognize the God that had brought the people out of Egypt as his only God and Master, to observe in the first instance the Decalogue and later all the commandments given in the desert. Consequently, idolatry is the complete annulment of the covenant, for which Israel is severely punished until it is brought back again to its God; similarly, a wilful defiance of His authority on an important commandment is a breaking of the covenant. In the Apocrypha, the Palestinian-Jewish Apocalypses and in Rabbinic statements of the first and the second centuries the central idea is the same, the covenant is the Torah and the Jews are the sons of the covenant. The binding force of the commandments is increased by the Rabbis by the addition of God's oath pronounced at Sinai. The Israelites were declared there His children and His servants, subjects bound to obey His will expressed, as a rule, in clear injunctions, but sometimes in apparently unintelligible duties which were imposed by their Master and are to be observed without questioning. God as Israel's King also imposed His yoke upon them, which involved their acceptance of His sole Kingship and its implications. They prostrate themselves before Him in proclaiming His Kingship over them in the service of the Temple and on the

Temple Mount, and in the special prayers on the New Year, and accept daily the yoke of His Kingship upon them in reciting the שמע, and are ever ready to die for their God whom they love genuinely and deeply. To break off the yoke of God is rebellion against Him, identical with throwing off the acceptance of Him as the King of every individual Jew, and with the denial of God either in favour of idols or of the yoke of a human master who demands obedience to his will against the commandments of God. His yoke is sometimes called the yoke of the Torah, when it emphasizes the importance of certain moral obligations of the Jew to the fellow-man, as honest measure and the prohibition of usury; by their non-observance the Jew breaks off the yoke and denies God and the coming out of Egypt. Some sinners, probably the Minim, in Judaea about the years 90 to 120 broke off the yoke, broke the covenant and were insolent to the Torah. Sin against the neighbour is, at the same time, sin against God, and is a denial of the presence of God as the witness of transactions and crimes.

The covenant of God imposes the obligation to serve Him, but, unlike serving a conqueror or a human king, with joy and love. The two principles of serving God, from love or from fear, were already discussed in Jerusalem in the middle of the first century on the attitude of Job. His trust in God manifested to some scholars his love of God, his impatience in his suffering evidenced to others his fear of God as the motive of his religious actions; artificial interpretation had to serve to explain away all evidence against his love, while literal exegesis supported the view of his fear of God. The dispute was carried on by the Shammaiites and the Hillelites in conjunction with another controversy about the object of man's creation; according to some scholars between the Pharisees and the Sadducees in connexion with their differences about the immortality of the soul and the retribution after death, which dispute led to the suppression of the Targum of the book of Job by R. Gamaliel I. The love of God as the motive of serving

Him is evinced in man's readiness to obey God in all circumstances, even to death, in his practice of His commandments without expecting a reward, and in his refraining without the fear of punishment from transgressing a prohibition, in his practical love of his fellow-man and in his right attitude to God in suffering. Of the various attitudes of men to visitation the ideal one is submission in humility to the chastisements inflicted by God's decree without murmur and criticism, the recognition of God as just in inflicting the gravest calamity or loss, and of the visitation as fully deserved and as a sign of His love, sent to purge man from sin and to prepare him for Paradise. The martyrs of the first half of the second century accepted their violent death readily and humbly as God's inscrutable decree and without questioning His judgment and justice, and their meditations on their impending end reveal their high standard of social duty and of the humility demanded of scholars.

Disobedience to the will of God embodied in the commandments of the Pentateuch is exemplified in the Bible, in the first instance by the grave sins of idolatry and of making idols, both of which defile the land of God, then by incest, adultery, immorality, bestiality and bloodshed which also defile the land; the contamination is not levitical, but moral and religious. Idolatry and the Canaanite abominations, whether practised by Gentiles or Israelites, defile the sinners themselves; the adulterer defiles first the woman and then himself by his crime. Sacrificing children to Molech defiles the Temple from a distance, as the idols set up in the Sanctuary defile it. Other grave transgressions, ethical and social, are termed uncleannesses and defiled Jerusalem and its inhabitants; but none defiled levitically, as the murderer may enter the Temple and seize the horns of the altar. Levitical impurity is used only for the illustration of religious contaminations which defile the lips, the hands or the whole body of the sinner and separate him morally from God. Consistently, there is not only cleanness from the filth and the impurity of sin, but even washing by God of the sins of Jerusalem and of its inhabitants; the nation washes itself actually or symbolically from idolatry and wrongdoing, and the individual washes his hands, his body and his heart from sin, to be, or to prove himself, innocent. God purges by punishments the sins of Judah and of guilty individuals, and in His mercy cleanses the offences of the people in preparation for Israel's restoration. His methods of purging are sometimes levitical in form, but not in reality, nor in the spirit, and seem to presuppose a custom according to which the repentant sinner symbolically washed himself or bathed, and was then sprinkled upon with clean water by the priest. The cleansing of Israel's sins on the Day of Atonement by the blood of the various special sin-offerings sprinkled upon the several parts of the tent of meeting for the removal of levitical and religious defilements is based on a different concept of purging impurity.

The Apocrypha and the Apocalypses continued, and developed only slightly, the biblical concepts of the impurity and the cleansing of grave sins; while Jewish Hellenistic writers, like the author of the Letter of Aristeas, Philo and Josephus used Greek ideas, the Judaean Psalms of Solomon teach the purging of sins by heavenly chastisements. The books of Enoch and Jubilees extend the application of impurity to a number of grave sins, and in many instances heap synonyms for uncleanness in crude juxtaposition, while the Testaments clearly evince the influence of Hellenistic thought. In the Rabbinic literature incest, immorality, idolatry and bloodshed are impurities and defile the land; the synonyms for their defiling nature grow cruder, but hardly vary the fundamental idea. The impurity is not levitical, but washing is applied to it. If a man defiles himself by a deliberate sin and obstinately increases his impurity, God also defiles him, while, on the other hand, He assists the man who is purging himself from sin. The evil inclination in man is unclean, and so is the sinner who is yielding to it. Some statements give levitical illustrations of moral and religious impurity. The cleansing of the sins of the people by the daily public sacrifices and the change of the colour of the scapegoat's crimson strap to white in the Temple on the Day of Atonement indicate the prevalent ideas of atonement and forgiveness. The number of sinless men is extremely small: God in His love assists the righteous by visitations in cleansing themselves from their few errors by self-inspection, confession and repentance which are essential for forgiveness. On the Day of Atonement the confession of sins leads to man's purging himself before God. The impurity of sin affects with stains the soul of man which was given to him pure. External means of moral cleansing combined with repentance, as the penalty of flogging for a transgression, are indicated in Rabbinic statements of the beginning of the second century; but bathing is mentioned only in the later Haggadah as being applied by God to the sinners in the Messianic times. The baptism of John for the pardon of sins in Josephus has parallels in the Rabbinic concept of the cleansing of sin.

For the Rabbinic concepts of sins committed against the neighbour and God, for the moral and sacrificial forces of atonement, and for the religious principles involved, the best illustration is to be found in the application of the rules in Lev. 5, 21–26 concerning the man who dishonestly appropriated the goods of his neighbour. Rabbinic law included in robbery not only cheating in weights and measures, but also e.g. the robbing of the poor of the corner of the field by its owner. The confession of the crime is to be followed by the restitution of the stolen property even of the smallest value, not necessarily of the original article, but even its equivalent in money, in order to facilitate the robber's repentance. Nor need the goods be carried after the wronged man, if he should be away from home, but they may be deposited with the additional fifth in the court of law, no doubt, to facilitate the thief's repentance. Unlike the Sadducean strict punishment, Rabbinic law, strange to say, imposes no penalty, not even flogging, for the transgression of the prohibition of robbery of any kind, not even for the added grave crime of the false oath of the robber, because he confessed his sins voluntarily, as already Philo explained the anomaly. The moral value of such a confession was great. The atonement through the guilt-offering of the sin committed against God can only begin, if the sin against the injured man has completely been removed by restitution, and he has been conciliated by the payment of the additional fifth of the value of the property concerned, and no goods dishonestly acquired have been employed for satisfying the wronged man. The bringer of the guilt-offering should be clear in his mind about God to whom he is going to sacrifice, and also about the ultimate use of the sacrifice. The laying of the hands upon the offering and the confession of his sin over it before God open the act of the sacrificial atonement. The conduct of the officiating priest towards the repentant sinner and any offerer of an atoning sacrifice, and the religious instruction for which the tense feelings of the sinner afford the priest a welcome opportunity at the altar are referred to in the sources. The sprinkling of the blood constitutes the chief part of the sacrificial atonement, and its religious and atoning value for the sinner is great, while it cleanses away the sin of his violent act. Other atoning sacrifices in the last decades of the Temple bear out the interpretation of the individual stages of the atonement. The fasting of the Synhedrion and of the representatives of the people of Palestine at the altar during the bringing of the daily public sacrifices suggest that the atonement even by the public sacrifices was not automatic. The atonement of sin effected was not identical with its pardon; that was the final grace granted by God, by which the peace between God and man, which had been broken by the deliberate offence of the sinner against Him, is now restored by the forgiveness bestowed by God.

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